Box 3

Notebook 3

Smith I, Peter

Box 2

Notebook 14

Smith I, Peter

	A	B	C	D	E	F	G	H	I
27	**Box #**	**Notebk #**	**Surname**	**First Name**	**State**	**Birth Yr**	**Death Yr**	**Assoc Surnames**	**Comments**
28	3	2	Short		TN?			Barker, Jernigan	research only
29	3	3	Smith I	Peter	VA		aft 1691	Fleming, Finch, Cohen/Kuhn, Telles, Roberts, Phillips, McNatt	
30			Smith II	Peter	VA	bef 1672	c 1741	Finch, Cohen/Kuhn, Telles, Roberts, Phillips, McNatt	
31	3	4	Tinsley						research only
32	3	5	Tucker		VA			Golding, Tucker, Foster, Tinsley Jr, Hooker, Bobo, Guy, Phillips, Roberts, McNatt	
33	3	6	Wheeler	Thomas	VA	1660	v 1736	Keene, Finch, Smith, Cohen/Kuhn, Telles, Roberts, Phillips, McNatt	
34	3	7	Hoffmeister					Adams, Cullins, Attaway, Rhoden, Hanson, Porterfield, Westmoreland, Nolan	
35	3	8	Bailey/Kennedy		TN				
36	3	9	Haile		KY			Moody, Sloan, Smith, Waddle, Heath, Taylor, Silvers	
37	3	10	Haile	William	KY				

G7: The said John H. Finch is the child of
Willis Finch
Born on ca 1808 At SC
Died on aft 1860 census At AL and his (1st) wife
Elizabeth
Born on 1815 At SC
Died on bef 19 Feb 1857 At AL
Married on ca 1830 At SC
Proofs: 1850 Campbell Co., GA Census (son John H), 1830 Spartanburg Co., SC Census - Willis Finch (age 20-30) with wife (age 20-30) and no children, living next to Thomas Finch

G8: The said Willis Finch is the child of
Thomas Finch
Born on 1776 At VA
Died on bef Jan 1860 At Spartanburg Co., SC and his (1st) wife
Susanna Smith
Born on 1776 At
Died on bef 1859 At SC
Married on bef 1756 At VA
Proofs: Thomas Finch will - original record from Spartanburg Co., SC, 1850 Spartanburg Co., SC Census. History of Spartanburg County by J. B. O. Landrum, p. 278.

G9: The said Susanna Smith is the child of
John Smith
Born on 1747 At Fairfax Co., VA
Died on 1816 At SC and his (1st) wife
Elizabeth
Born on ca 1748 At
Died on At
Married on At VA
Proofs: History of Spartanburg County by J. B. O. Landrum, p. 278 (see Gen 8), Peter Smith of Westmoreland Co., VA by Hon. Richard Bender Abell & Wilmer Lane Smith, pp. 107-113.

G10: The said John Smith is the child of
Thomas Smith
Born on ca 1706 At Westmoreland Co., VA
Died on 12 Sep 1778 At Manasses, Prince Wm. Co., VA and his (1st) wife
Elizabeth Fleming
Born on 18 Feb 1710 At North Farnham Par., Richmond Co., VA
Died on ca 1780 At Prince William Co., VA
Married on At VA
Proofs: History of Spartanburg County by J. B. O. Landrum, p. 278 (see Gen 8), Peter Smith of Westmoreland Co., VA...pp. 107-113 (see Gen 8), Registers of North Farnham Parish by George H. King, p. 63.

G11: The said Thomas Smith is the child of
Peter Smith
Born on bef 1672 At Westmoreland Co., VA
Died on May 1741 w/p 12 May At Westmoreland Co., VA and his (1st) wife
Elizabeth
Born on ca 1685 At
Died on be 1738 Bef. 10 Jan At VA
Married on At
Proofs: Peter Smith of Westmoreland Co., VA, pp 1, 3, 8, 9, 17, 17, 27 & 27

G7: The said John H. Finch is the child of
Willis Finch
Born on ca 1808 At SC
Died on aft 1860 census At AL and his (1st) wife
Elizabeth
Born on 1815 At SC
Died on bef 19 Feb 1857 At AL
Married on ca 1830 At SC
Proofs: 1850 Campbell Co., GA Census (son John H), 1830 Spartanburg Co., SC Census - Willis Finch (age 20-30) with wife (age 20-30) and no children, living next to Thomas Finch

G8: The said Willis Finch is the child of
Thomas Finch
Born on 1776 At VA
Died on bef Jan 1860 At Spartanburg Co., SC and his (1st) wife
Susanna Smith
Born on 1776 At
Died on bef 1859 At SC
Married on bef 1756 At VA
Proofs: Thomas Finch will - original record from Spartanburg Co., SC, 1850 Spartanburg Co., SC Census. History of Spartanburg County by J. B. O. Landrum, p. 278.

G9: The said Susanna Smith is the child of
John Smith
Born on 1747 At Fairfax Co., VA
Died on 1816 At SC and his (1st) wife
Elizabeth
Born on ca 1748 At
Died on At
Married on At VA
Proofs: History of Spartanburg County by J. B. O. Landrum, p. 278 (see Gen 8), Peter Smith of Westmoreland Co., VA by Hon. Richard Bender Abell & Wilmer Lane Smith, pp. 107-113.

G10: The said John Smith is the child of
Thomas Smith
Born on ca 1706 At Westmoreland Co., VA
Died on 12 Sep 1778 At Manasses, Prince Wm. Co., VA and his (1st) wife
Elizabeth Fleming
Born on 18 Feb 1710 At North Farnham Par., Richmond Co., VA
Died on ca 1780 At Prince William Co., VA
Married on At VA
Proofs: History of Spartanburg County by J. B. O. Landrum, p. 278 (see Gen 8), Peter Smith of Westmoreland Co., VA...pp. 107-113 (see Gen 8), Registers of North Farnham Parish by George H. King, p. 63.

G11: The said Thomas Smith is the child of
Peter Smith
Born on bef 1672 At Westmoreland Co., VA
Died on May 1741 w/p 12 May At Westmoreland Co., VA and his (1st) wife
Elizabeth
Born on ca 1685 At
Died on be 1738 Bef. 10 Jan At VA
Married on At
Proofs: Peter Smith of Westmoreland Co., VA, pp 1, 3, 8, 9, 17, 17, 27 & 27

G12: The said is the child of
Born on At
Died on At and his ( ) wife
Born on At
Died on At
Married on At
Proofs:

G13: The said _____ is the child of

_____

Born on _____ At _____

Died on _____ At _____ and his ( ) wife

_____

Born on _____ At _____

Died on _____ At _____

Married on _____ At _____

Proofs: _____

G14: The said _____ is the child of

_____

Born on _____ At _____

Died on _____ At _____ and his ( ) wife

_____

Born on _____ At _____

Died on _____ At _____

Married on _____ At _____

Proofs: _____

G15: The said _____ is the child of

_____

Born on _____ At _____

Died on _____ At _____ and his ( ) wife

_____

Born on _____ At _____

Died on _____ At _____

Married on _____ At _____

Proofs: _____

CHILDREN OF THE ANCESTOR

Only list those by the wife noted on the last generation

Name of child	Date of Birth of Child	Name of Spouse
Mary Smith		Fleming
Peter Smith, Jr.		
James Smith		
Thomas Smith	ca 1706	Elizabeth Fleming
William Smith		
Abigail Smith		Fleming
John Smith		
Anne Smith		Thomas
Hannah Smith		Ware
Martha Smith		McClanahan

ANCESTOR'S SERVICE

Only one service is required; only one proof of service is required

Name of Service: Landowner VA 1692

Proof of Service: Grant from Proprietor of Northern Neck 10 Oct 1692 - 70 acres

Source of Proof: Northern Neck Grants, Vol 1 pp 190-91, Library of Virginia

ACKNOWLEDGMENT

The applicant states that the said Peter Smith is the ancestor whose lineage is outlined in this application and the statements herein set forth are true to the best of her knowledge. She also understands that the National Society Colonial Dames XVII Century does not guarantee that this lineage will be valid in the future as new research may change the validity of this lineage.

Signature of applicant: Melanie Nolan

Do not encroach on this margin, which is needed for binding.

G7: The said John H. Finch is the child of
Willis Finch
Born on ca 1808 At SC
Died on aft 1860 census At AL and his (1st) wife
Elizabeth
Born on 1815 At SC
Died on bef 19 Feb 1857 At AL
Married on ca 1830 At SC
Proofs: #2966-Peter Smith-Gen 7:
1850 Campbell Co., GA Census (son John H), 1830 Spartanburg Co., SC Census - Willis Finch (age 20-30) with wife (age 20-30) and no children, living next to Thomas Finch

G8: The said Willis Finch is the child of
Thomas Finch
Born on 1776 At VA
Died on bef Jan 1860 At Spartanburg Co., SC and his (1st) wife
Susanna Smith
Born on 1776 At
Died on bef 1859 At SC
Married on bef 1756 At VA
Proofs: #29662-Peter Smith-Gen 8:
Thomas Finch will - original record from Spartanburg Co., SC, 1850 Spartanburg Co., SC Census.
History of Spartanburg County by J. B. O. Landrum, p. 278.

G9: The said Susanna Smith is the child of
John Smith
Born on 1747 At Fairfax Co., VA
Died on 1816 At SC and his (1st) wife
Elizabeth
Born on ca 1748 At
Died on At
Married on At VA
Proofs: #29662-Peter Smith-Gen 9:
History of Spartanburg County by J. B. O. Landrum, p. 278 (see Gen 8), Peter Smith of Westmoreland Co., VA by Hon. Richard Bender Abell & Wilmer Lane Smith, pp. 107-113.

G10: The said John Smith is the child of
Thomas Smith
Born on ca 1706 At Westmoreland Co, VA
Died on 12 Sep 1778 At Manasses, Prince Wm. Co, VA and his (1st) wife
Elizabeth Fleming
Born on 18 Feb 1710 At North Farnham Par., Richmond Co., VA
Died on ca 1780 At Prince William Co., VA
Married on At VA
Proofs: #29662- Peter Smith-Gen 10:
Hist of Spartanburg Co by J. B. O. Landrum, p 278,
Peter Smith of Westmoreland Co., VA...pp. 107-113, Registers of N Farnham Par, King, p. 63.

G11: The said Thomas Smith is the child of
Peter Smith
Born on bef 1672 At Westmoreland Co, VA
Died on w/p 12 May 1741 At Westmoreland Co, VA and his (1st) wife
Elizabeth
Born on ca 1685 At
Died on Bef 10 Jan 1738 At VA
Married on At
Proofs: #029662- Peter Smith-Gen 11: Peter Smith of Westmoreland Co. VA…pp 1, 3, 8, 9, 17, 17, 27

G12: The said Peter Smith is the child of
Peter Smith
Born on At
Died on c 1693 At Westmoreland Co, VA and his ( ) wife

Born on At
Died on At
Married on At
Proofs: Peter Smith of Westmoreland Co., VA…pp 1-27

G13: The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his ( ) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: _____

G14: The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his ( ) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: _____

G15: The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his ( ) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: _____

CHILDREN OF THE ANCESTOR

Only list those by the wife noted on the last generation

Name of child	Date of Birth of Child	Name of Spouse
Peter Smith	bef 1672	Elizabeth
Vincent Smith		
James Smith		

ANCESTOR'S SERVICE

Only one service is required; only one proof of service is required

Name of Service: Landowner 1657
Proof of Service: 500 acs Petomeck freshes, 15 Jul 1657
Source of Proof: Cavaliers and Pioneers Patent Bk 4 by Nugent, p 351

ACKNOWLEDGMENT

The applicant states that the said Peter Smith I _____ is the ancestor whose lineage is outlined in this application and the statements herein set forth are true to the best of her knowledge. She also understands that the National Society Colonial Dames XVII Century does not guarantee that this lineage will be valid in the future as new research may change the validity of this lineage.

Signature of applicant: _____

Do not encroach on this margin, which is needed for binding.

G7 The said John H. Finch is the child of
Willis Finch
Born on ca 1808 At SC
Died on aft 1860 census At AL and his (1st) wife
Elizabeth
Born on 1815 At SC
Died on bef 19 Feb 1857 At AL
Married on ca 1830 At
Proofs: (Use Abbreviations at all times): #29662-Peter Smith-Gen 7: 1850 Campbell Co., GA Census - son John H; 1830 Spartanburg Co., SC Census - Willis Finch (age 20-30) with wife (age 20-30) and no children, living next to Thomas Finch

G8 The said Willis Finch is the child of
Thomas Finch
Born on 1776 At VA
Died on bef Jan 1860 At Spartanburg Co, SC and his (1st) wife
Susanna Smith
Born on 1776 At
Died on bef 1859 At SC
Married on bef 1756 At VA
Proofs: (Use Abbreviations at all times): #29662-Peter Smith-Gen 8: Thomas Finch will - original record from Spartanburg Co., SC, 1850 Spartanburg Co., SC Census.
History of Spartanburg County: J. B. O. Landrum, 278.

G9 The said Susanna Smith is the child of
John Smith
Born on ~~1747~~ 1724 At Fairfax Co, VA
Died on 1816 At SC and his (1st) wife
Elizabeth
Born on ca 1748 At
Died on At
Married on At
Proofs: (Use Abbreviations at all times): #29662-Peter Smith-Gen 9: History of Spartanburg County J. B. O. Landrum, 278 (see Gen 8), Peter Smith of Westmoreland Co., VA & Some Descendants: Hon. Richard Bender Abell & Wilmer Lane Smith, 107-113.

G10 The said John Smith is the child of
Thomas Smith ✓
Born on ca 1706 At Westmoreland Co, VA
Died on 12 Sep 1778 At Manassas, Prince Wm, VA and his (1st) wife
Elizabeth Fleming ✓
Born on 18 Feb 1710 At North Farnham Par., Richmond, VA
Died on ca 1780 At Prince William Co, VA
Married on At VA
Proofs: (Use Abbreviations at all times): #29662-Peter Smith-Gen 10: History of Spartanburg County J. B. O. Landrum, 278 (see Gen 8), Peter Smith of Westmoreland Co., VA, 107-113 (see Gen 8), Registers of North Farnham Parish George H. King, 63.

G11 The said Thomas Smith ✓ is the child of
Peter Smith II ✓
Born on bef 1672 ✓ At Westmoreland Co, VA ✓
Died on w/p 12 May 1741 ✓ At Westmoreland Co, VA ✓ and his (1st) wife
Elizabeth ✓
Born on ca 1685 ✓ At
Died on bef 10 Jan 1738 ✓ At VA ✓
Married on At
Proofs: (Use Abbreviations at all times): #29662-Peter Smith-Gen 11: 1, 3, 8, 9, 17, 27

G12 The said Peter Smith II is the child of
Peter Smith I ✓
Born on bef 1657 At England
Died on aft 29 Jul 1691 At Westmoreland Co, VA and his (1st) wife
Born on At
Died on At
Married on At
Proofs: (Use Abbreviations at all times): Nat #32033-Peter Smith I-Gen 11: Peter Smith of Westmoreland Co., VA: 1-12; 21-25

G13 The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his (_____) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: (Use Abbreviations at all times): _____

G14 The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his (_____) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: (Use Abbreviations at all times): _____

G15 The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his (_____) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: (Use Abbreviations at all times): _____

G16 The said _____ is the child of _____

Born on _____ At _____
Died on _____ At _____ and his (_____) wife _____

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: (Use Abbreviations at all times): _____

CHILDREN OF THE ANCESTOR

Only list those by the wife noted on the last generation

Name of child	Date of Birth of Child	Name of Spouse
Peter Smith II		
Vincent Smith		
James Smith		

Reference for children: Peter Smith of Westmoreland Co., VA & Some Descendants, Abell & Smith

ANCESTOR'S SERVICE

Only one service is required; only one proof of service is required

Name of Service: Landowner 15 Jul 1657: VA, Westmoreland Co
Proof of Service: Cavaliers and Pioneers, Nell Marion Nugent Vol 1: 1623-1666 p 351
Source of Proof: Patent Book #4 p. 117 (174)

ACKNOWLEDGMENT

The applicant states that the said Peter Smith I is the ancestor whose lineage is outlined in this application and the statements herein set forth are true to the best of her knowledge. She also understands that the National Society Colonial Dames XVII Century does not guarantee that this lineage will be valid in the future as new research may change the validity of this lineage.

Signature of applicant: Melanie Nolan

CAVALIERS AND PIONEERS

Abstracts of
Virginia Land Patents and Grants
1623-1800

IN FIVE VOLUMES

Abstracted and Indexed by
NELL MARION NUGENT
VIRGINIA LAND OFFICE
RICHMOND, VA.

Introduction by
ROBERT ARMISTEAD STEWART, PH.D.

Patroness
AGNES BERNADINE SITTERDING

VOLUME ONE

RICHMOND, VA.:
PRESS OF THE DIETZ PRINTING CO.
1934

MR. HUGH LEE, 1100 acs. in Petomeck freshes above Puscatoway, on the Wwd. side of the river, bounding Sly. upon Mr. Claies land, Nly. along the river & parallel to Mr. Cley. 15 July 1657, p. 114, (170). Trans. of 22 persons: Jonathan Marrow, Mary Marrow, Dorithy Marrow, Wm. Browne, Wm. Hanniver, Geo. Wilson, Hannah Lee, Mr. David Linsey, Anne Murrall, Joshua Esto, Anne Moore, Junr., Anne Moore, Senr., Dan Lile, Jno. Carr, Eliz. Parry, Mary Harris, Eliz. Hardinge, Mary Barkinton, Anne Murrall, Joshua Estoe, Wm. May, Rob. Smart.

EDWARD WILLIAMS, 500 acs. Ely. upon Petomeck freshes above Puscatoway, Sly. upon land of Robert Bradshew & James Cloughton. 15 July 1657, p. 115, (171). Trans. of 10 pers:

WILLIAM DAVIS, 500 acs. Ely. upon Petomeck Riv. in the freshes above Puscatoway & Sly. upon land called William Butler's. 15 July 1657, p. 115, (171). Trans. of 10 pers: Hen: Thornton, James May, James Jolly, Rob. Brooke, James Battin, John Covell, Edd. Mason, Sil. Baker, Edd. Snape, Mathew Shorte.

JOHN WOOD, 300 acs. Nly. upon Yosococomoco Cr. in Petomeck freshes & adj. his own land. 15 July 1657, p. 115, (171). Trans. of 6 pers: Grace Harrison, Geo. Burton, James Davis, Nich. Coaleman, Hen. Rouse, Mary (or Marg.) Linton.

JOHN RAVEN, 500 acs. on Wwd. side of Petomeck Riv. above Puscatoway., Ely. upon sd. river, Sly. upon land called Mr. Wm. Preslyes. 15 July 1657, p. 115, (172). Trans. of 10 pers: Lancelott Heines, Peeter Greene, Patrick Davison, Eliz. Norton, Prudence Neale, Diana Johnson, Margaret Bell, Jane Denny, Paule Hinson, Roger Andrews.

MR. WILLIAM PRESLY, 1000 acs. in Petomeck freshes about 3 mi. above land called Mr. Robert Clerke's land, Ely. upon sd. river, Sly. upon land of Mr. Francis Grey & John Lancelott. 15 July 1657, p. 116, (172). Trans. of 20 pers: Roger Bell, James Arden, Ro. Rodes, Tim. Lawrence, Bernard Nash, Jno. Varnell, Edd. Cooper, Law. Seines, Dan. Armstronge, Hugh Davis, Tho. Madrin, Nich. Peake, Rand. Jackson, Tho. Beale, Peeter Hughes, Mary James, Martha Hiller, Judith Chroshaw, Wm. Batty, Corl. May.

ROBERT CASTLETON, 1000 acs. in Petomeck freshes on the N. side of a creek below Puscatoway but on opposite side of sd. river & S. Wly. on Hopkins Cr. & N. Ely. towards land surveyed for Mr. Henry Vincent. 15 July 1657, p. 116, (172). Trans. of 20 pers: Wm. Gill, Richd. Heath, Eliz. Arnold, Rob. Stone, Jane Hunt, Avis Browne, Ales Tiller, Geo. Ray, Fra. Coney, Anth. Barwick, Walter Pratt, Jasper Grey, Arth. Newcombe, Tho. Farrington, Prudence Greene, Wm. Corey, James Slaner, Isabell Meldron, Jane Mountford, Willm. Holeman.

JOHN WOOD, 300 acs. NEly. upon Yosococomocoe Cr. in Petomeck freshes, N. Wly. upon land by him called John Tingies. 15 July 1657, p. 116, (173). Trans. of 6 pers: Mary Jones, James Coxe, Edwd. Burly, Richd. Atkins, Richd. Alcock, Mich. Waller.

JOHN WOOD, 500 acs. Westmoreland Co., 15 July 1657, p. 116, (173). Upon the head of Robert Yeo's land. Trans. of 10 pers: Walter Bird, Wm. Lacy, Wm. Lee, Jeremy Lawes, James Lewis, Rob. Haines, John Fryer, Ellinr. Read, Joane Sands, Jane Williams.

JOHN HAYLES, 100 acs. N. Ely. upon Petomeck Riv. in the freshes above Anacosta Iland, S. Ely. upon Vincent Cockes land belonging to John Wood. 15 July 1657, p. 117, (174). Trans. of 2 pers: Tho. Fourty, James Wilkinson.

PEETER SMITH, 500 acs. in Petomeck freshes, N. Ely. upon a creek above Col. Speakes land & S. Ely. upon land called Gosnells land. 15 July 1657, p. 117, (174). Trans. of 10 pers: Rob. Clerke, Rob. Holmes, Math. Wardle, Anne Hamond, Tho. Dorwood, Anne Forty, John Ayres, Francis Ayres, Richd. Hardman, Tho. Webster.

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OF

WESTMORELAND COUNTY, VIRGINIA

(Died 1741)

AND

SOME DESCENDANTS

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CONTENTS

PART 1 - Peter Smith of Westmoreland County, Virginia (Died 1741) 1
Peter Smith Descendant Chart (3 generations only) 29
PART 2 - William Smith (Son of Peter Smith, D. 1741) 31
William Smith Descendant Chart 44
PART 3 - James Smith (Son of Peter Smith, D. 1741) 47
CHAPTER 3-1 - Peter Smith (Son of James Smith) 57
SubChapter 3-1-1 - William Wigginton Smith 61
SubChapter 3-1-2 - James Simpson Smith 65
SubChapter 3-1-3 - George R. Smith 69
SubChapter 3-1-4 - Elias Guess Smith 73
SubChapter 3-1-5 - Aaron Fairfax Smith 77
SubChapter 3-1-6 - Moses F. Smith 81
SubChapter 3-1-7 - Jesse W. Smith 83
CHAPTER 3-2 - William Bailey Smith (Son of James Smith) 85
James Smith Descendant Chart 92
PART 4 - Thomas Smith (Son of Peter Smith, D. 1741) 107
Thomas Smith Descendant Chart (2 generations only) 114
CHAPTER 4-1 - Peter Smith (Son of Thomas Smith) 115
SubChapter 4-1-1 - Peter Smith Jr 125
SubChapter 4-1-2 - Parmalee Smith (Son of Peter Smith Jr) 133
SubChapter 4-1-3 - The Cherokee Disturbances 143
Peter Smith Descendant Chart 146
CHAPTER 4-2 - Charles Smith (Son of Thomas Smith) 175
SubChapter 4-2-1 - William Smith 181
SubChapter 4-2-2 - Elijah Smith 193
SubChapter 4-2-3 - Sanford Smith 217
SubChapter 4-2-4 - Daniel Smith 223
SubChapter 4-2-5 - Elizabeth Smith 227
Charles Smith Descendant Chart 230
CHAPTER 4-3 - Fleming Smith (Son of Thomas Smith) 265
Fleming Smith Descendant Chart 277
CHAPTER 4-4 - Daniel Smith (Son of Thomas Smith) 281
SubChapter 4-4-1 - James Smith 285
SubChapter 4-4-2 - Peter Lee Smith 299
SubChapter 4-4-3 - John M. Smith 301
Daniel Smith Descendant Chart 310
CHAPTER 4-5 - James Smith (Son of Thomas Smith) 321
James Smith Descendant Chart 329
PART 5 - The Battle of Cowpens (Near Spartanburg, South Carolina) 331
Biography of the Authors 337
ALPHABETICAL INDEX 339

PREFACE

This book is organized into PARTS and most PARTS include CHAPTERS. PART 1 covers ***PETER SMITH*** *of Westmoreland County, Virginia while PARTS 2, 3 and 4 cover three of Peter's sons, -* ***WILLIAM, JAMES*** *and* ***THOMAS*** *- who moved to Prince William and Fairfax Counties, Virginia. Where a significant amount of material is presented on the children of these three sons, that material is reflected in CHAPTERS under the respective PARTS. Information on Peter Smith's other children is included in PART 1.*

PART 2, covering Peter's son ***WILLIAM****, includes information on William as well as that of his sons -* ***Hancock, James*** *and* ***William*** *- who moved to Spartanburg District, South Carolina.* ***William*** *moved on to Jackson County, Georgia. This Part then traces his descendants that moved from Georgia on to Massac county, Illinois. Some of this information is based on material developed by Mrs. Belva A. Smith Martin of Murphysboro, Illinois.*

PART 3, covering Peter's son ***JAMES****, is made up mostly of information on James' son -* ***Peter****. This Peter moved to Caswell County, North Carolina and some of his descendants migrated to Kentucky, Alabama, and other locations. Much of this information is based on the book, Peter Smith, Some of His Virginia, North Carolina and Kentucky Descendants by Miss Pearl Smith of Marion, Kentucky. Some information is included on James' sons -* ***Presley Smith*** *who moved to Washington County, Kentucky, and* ***William Bailey Smith*** *who moved to Daviess County, Kentucky.*

PART 4, covering Peter's son ***THOMAS****, includes substantial information on several of Thomas' sons and their descendants, i.e.,* ***Charles Smith, Daniel Smith, Peter Smith, James Smith,*** *and* ***Fleming Smith****. Except for* ***Daniel Smith****, these sons, as well as sons* ***Thomas*** *and* ***John Smith****, moved to Spartanburg District, South Carolina prior to or during the Revolutionary War.* ***Fleming*** *moved on to Kentucky and various descendants of the other sons moved to Tennessee, Georgia, Alabama and other locations. Thomas' son,* ***Daniel****, moved to Henry County, Virginia. While many of Daniel's descendants remained in Henry and surrounding Virginia counties, some descendants moved to Kentucky and then onto Greene County, Illinois. Information in this part is based upon research by the authors and the two volumes: A Smith Family - Pioneers of the South, by Mr. Wilmer Lane Smith of Springfield, Virginia (now living in Port Charlotte, Florida); and, To Know One Another (Some Virginia Smiths-1738-1985), by Mrs. Arnette Smith Cobb of Glax, Virginia.*

While each PART or CHAPTER includes information on the names, marriage, birth and death records of various individuals, Descendant Charts include those individuals cited as well as information on more current generations, up to the present time. The Descendant Chart in PART 1 is a three generation chart of Peter Smith. The Descendant Chart in PART 2 includes all known descendants of William Smith. The Chart in PART 3 covers known descendants of James Smith. Since there are so many known descendants of Thomas Smith, his descendants are shown in Charts under CHAPTERS 4-1 through 4-5.

INTRODUCTION

Essentially this volume is a parentela (the sum of those persons who trace decent from one ancestor) of PETER SMITH, JR. of Westmoreland County, Virginia - an expression of that inner dimension of the yeomanry that has made America. In a sense, this is a cursory review of the history of the American South and Midwest in microcosm seen via the reflection of both the tribulations and the successes of one family whose vicissitudes mirror that of the American experience. This all epitomizes the evident credo that represents the totality of our history in America - covenant with God and community.

For six or more generations, from our progenitor Peter Smith, Sr. of 1651 through: Parmalee Smith of Talladega County, Alabama; Daniel and Stephen Smith of Greene County, Illinois; Gabriel Smith of Carroll County, Virginia; George R. Smith of Posey County, Indiana; John Everett Vaught Smith of Ohio County, Kentucky; John Smith of Crawford County, Kansas; George Hancock Smith of Massac County, Illinois; Enoch Smith of Hopkins County, Texas; and many others, this pioneer lineage found its identity on the Southern and Midwestern frontier - paradoxically with its individual self-reliance and yet an overwhelming sense of family and community, all underscored by our Christian faith. These are the elements that stand out after some 345 years.

From the first disembarkation on Virginia's Northern Neck, through the then untamed wilderness of the area surrounding both the Occoquan River and Bull Run Creek, to the virgin forests of the Carolina Up-County and Kentucky, and ultimately to the opportunities afforded with the openings of the new lands of Georgia, Alabama and the midwestern states, and from service in sundry Indian Wars, near total Smith family participation in the War of Independence, through the tragedy of The War Between the States, our ancestors were unequivocally committed to their guiding principles. These men and women lived as they believed - they respected the rights of others, and expected others to respect their rights, whether community or personal. They never hesitated to forthrightly stand firm when they perceived an infringement of those rights.

It behooves us not to critically analyze or judge them by the politically correct facile nostrums currently in vogue, but rather to reach out to understand and appreciate them within the framework of the principles that guided and motivated their actions - the cosmos as they comprehended it.

From the fading and disintegrating documents of time, we can all hold pride in what emerges in this family history - faith in God, frontier individualism, and love of family - Bible, musket, and kin.

ACKNOWLEDGEMENTS

This book, Peter Smith of Westmoreland County, Virginia (Died 1741) and Some Descendants, is the fourth book known by the authors to be written on this particular SMITH family. It, however, covers a broader aspect of the family than the other books which trace only a given descendant line. It includes information obtained from original research by the authors, and by many other Smith descendants as well as that drawn from the other books. It presents, in one document, all substantive information that the authors have been able to collect on ***PETER SMITH*** *and his descendants.*

A substantial amount of the information contained herein is based on the books: A Smith Family - Pioneers of the South, by Mr. Wilmer Lane Smith of Springfield, Virginia; Peter Smith, Some of His Virginia, North Carolina, and Kentucky Descendants by Miss Pearl O. Smith of Marion, Kentucky; and, To Know One Another-Some Virginia Smiths-1738-1985, by Mrs. Arnette Smith Cobb of Glax, Virginia.

Other sources of significant amounts of information include but are not limited to:

(1) Information from a paper titled, "Peter Smith - Some of His Blackwell, Boggess, Fleming, McClanahan, Moore & Thomas Descendants," by Miss Joanna Fox of Drakesburg, Kentucky.

(2) Information supplied by Miss Opal Lea Morrow of Sarcoxie, Missouri. She supplied substantial information on Charles Smith of Spartanburg County, South Carolina and his daughter, Elizabeth, who married Robert Page, Jr. They moved to Hamilton County, Illinois.

(3) Extensive information developed on the Charles Smith family of Spartanburg, South Carolina, by Mrs. Cleora Koons Smith of Spartanburg and Laurens, South Carolina. Cleora is the wife of Allison Willis Smith (dec), Gr-Gr-Gr-Grandson of Charles and Catherine Rhodes Smith.

(4) Extensive information on the Fleming Smith family by Mrs. Jonetta F. Jones of Ocala, Florida. The information also covered Fleming's son, James Smith, who moved to Missouri and then to Kansas.

(5) Information obtained from Mr. Harry E. Dewey of Alton, Illinois on the John M. Smith family (son of Daniel Smith of Henry County, Virginia) who moved to Kentucky and then to Greene County, Illinois.

(6) Extensive information from Mrs. Joyce Smith McClellan, West Frankfort, Illinois, on descendants of Peter K. Smith who moved from Muhlenberg County, Kentucky to Posey County, Indiana, to Franklin County, Illinois and then to Williamson County, Illinois.

(7) Latter Day Saints Microfilm #0968751 which includes information developed by Belva Smith Martin on the descendants of William and Catherine Smith (Jackson County, Georgia) who moved to Massac County, Illinois.

(8) Information from Brian W. Broadaway of Macon, Georgia on Charles Smith's descendants who moved from Spartanburg County, South Carolina to Conway County, Arkansas.

(9) Information from Richard F. Smith of Fountain Valley, California on Charles Smith's descendants that moved to Marshall County, Tennessee and Carroll County, Arkansas.

(10) Information from Carroll T. Smith of Spartanburg, South Carolina on some descendants of Charles Smith.

(11) Information from Howard C. Smith of San Jose, California on his segment of the Smith Family that migrated from Franklin County, Illinois to Bear Lake, North Dakota and other locations.

Several other individuals not named here also provided information and the authors express their thanks to these individuals as well. A special thanks to Jeffery C. Smith, the son of Wilmer Smith, for his assistance in compiling the lengthy index.

While information contained herein includes most of Peter Smith's children, the book is directed primarily to three of his sons that moved from Westmoreland County to Fairfax and Prince William Counties, Virginia and their descendants who migrated to such places as: Henry and Carroll Counties, Virginia; Caswell County, North Carolina; Spartanburg and Union Counties, South Carolina; Jackson, Henry and Fayette Counties, Georgia; several counties in Alabama; several counties in Tennessee; several counties in Kentucky; Crawford County, Kansas; Pulaski and Jasper Counties, Missouri; Carroll and Conway Counties, Arkansas; Posey County, Indiana; Greene, Franklin, Williamson, Hamilton and Massac Counties in Illinois; and Hopkins County, Texas. These migrations generally took place during the period 1740-1850. Descendants of these families are now, in 1996, scattered throughout the United States.

PART 1 - PETER SMITH of Westmoreland County, VA (Died 1741)

Peter Smith was apparently born in Westmoreland County, Virginia, and died there in 1741. He was a planter. Tobacco was the cash crop in the Virginia Colony during that era. Although there are a number of records which cite his name, and he left a will which names all of his children, nonetheless, no record has surfaced indicating the date of his birth. Since there were several Smith families living in the southern part of Westmoreland County during the latter part of the 17th century, the lack of this vital record has led to some confusion as to the name of Peter's father. There was an elder Peter Smith living in Westmoreland County. It is difficult in some cases to determine which record pertains to the younger Peter Smith who died in 1741. The elder Peter Smith most likely was his father. However, the question concerning the paternity of Peter Smith (d.1741) will be covered later in this part.

Peter Smith had ten children. The name of his wife is not known although the name "Margarett" appears on a 1706 legal document with Peter. However, Margarett's relationship to Peter is not indicated. In all likelihood, Margaret was his spouse. Peter's wife died before he made his will on January 10, 1738. The names of his children, which are not necessarily in order of their birth, are:

-**JOHN SMITH** - died prior to 1738.
-**ANN SMITH** - died prior to 1738 - married **HUGH THOMAS, JR.**
-**MARTHA SMITH** - married **WILLIAM McCLANNAHAN.**
-**ABIGAIL SMITH** - married **WILLIAM FLEMING.**
-**HANNAH SMITH** - married a **WARE.**
-**MARY SMITH** - married **JOHN FLEMING.**
-**PETER SMITH** - died ca. April 1774 - married **SARAH BAKER.**
-**WILLIAM SMITH** - married **LETTIS HANCOCK.** (See PART 2.)
-**JAMES SMITH** - married Elizabeth. (See PART 3.)
-**THOMAS SMITH** - married **ELIZABETH FLEMING.** (See PART 4.)

Considerable information is known about the families of **WILLIAM SMITH, JAMES SMITH** and **THOMAS SMITH**. Therefore they will be covered in PARTS 2, 3 AND 4. Information on the other children of Peter Smith is included in this part.

FAMILY OF MARTHA SMITH AND WILLIAM McCLANNAHAN

Based on the ages of Martha's children, Martha must have been born between 1710 and 1715.

-**THOMAS McCLANNAHAN**, born ca. 1730 in Orange County, Virginia; died February 1809 in Bourbon County, Kentucky. Married **MARGARET STROTHER**, daughter of **JOSEPH STROTHER.**
-**WILLIAM McCLANNAHAN, JR.**, born ca. 1732; died 1802 in Green-

ville County, South Carolina. Married ca. 1752/53 **MARY MARSHALL**, born 1738; died 1809; daughter of **JOHN MARSHALL** and **ELIZABETH MARKHAM**. William was a Baptist Minister. The McClannahan Cemetery on Cedar Lane Road (Route 183) in Greenville County was bulldozed and its remnants hauled away in 1974.[1]

-**PETER McCLANNAHAN**, born ca. 1734-5; died ca. 1775 in Westmoreland County, Virginia; married (?) **BAILEY**.
-**JAMES McCLANNAHAN**, born ca. 1735/6 Westmoreland County, died 1752 in Fauquier County, Virginia; married **LETTICE MOONEY**.
-**JOHN McCLANNAHAN**, born ca 1737, died ca 1795.
-**MARTHA McCLANNAHAN**, born ca 1738, married **GARLAND MOORE**.

FAMILY OF ABIGAIL SMITH AND WILLIAM FLEMING

William Fleming was born December 2, 1706 in Richmond County, Virginia. He was the son of **ALEXANDER FLEMING** and **SARAH KENNEDY**. The children of Abigail and William Fleming were:

-**JOHN FLEMING**, born ca. 1740 in Westmoreland County, died October 12, 1794 in Surry County, North Carolina; married **MARY BETSEY FORD**; married 2nd, December 25, 1776 in Henry County, Virginia, **JANE HORD**, born ca. 1757/8 in Louisa County, Virginia; died in Overton County, Tennessee; daughter of **MORDECAI MILLER HORD** and **SARAH CARR**.
-**WILLIAM FLEMING, JR.**
-**ELIZABETH FLEMING**, married **THADDEUS JACKSON**, died 1802 in Westmoreland County. Thaddeus was the son of **CHRISTOPHER D. JACKSON** and **MAGDALENE DAMOURVEL**.
-**MARGARET (PEGGY) FLEMING**, married **RODHAM PRITCHETT**.
-**MARY FLEMING**.

FAMILY OF PETER SMITH AND SARAH BAKER

Peter died ca. April 1774. His wife, Sarah, was the daughter of **WILLIAM BAKER** and granddaughter of **JOHN BAKER**. Their children were:

-**JOHN SMITH**.
-**WILLIAM SMITH**.
-**PETER SMITH**.
-**MARTHA SMITH**.
-**DORCAS SMITH**, married (?) **NEALE**.
-(?) **SMITH**, married (?) **TURNER**.

Three of Peter Smith's (d. 1741) children - Abigail, Mary and Thomas - married children of **ALEXANDER FLEMING** and **SARAH KENNEDY FLEMING**. Sarah was the daughter of **JOHN KENNEDY** (Kenny, Canady) and granddaughter of **CORNELIUS CANNADAY** and his wife **SUSAN** of St. Marys County, Maryland.

In 1709, Peter Smith of Westmoreland County obtained a warrant

for 1160 acres of land in Stafford County, Virginia. He had the land surveyed and obtained a patent for it in 1712. The land lies along the north side of Bull Run Creek, south of Clifton, Virginia and between the existing town of Occoquan and the Manassas Battle Field Park. The land was in Prince William County when it was formed from Stafford County in 1731. When Fairfax County was formed from Prince William in 1742, the land was in Fairfax County. Bull Run Creek is the dividing line between Fairfax and Prince William Counties. A copy of the recorded patent is shown on pages 13 and 14; and the location of the land is shown on pages 15 and 16.

In the 1730s, Peter's sons - William, James and Thomas - moved from Westmoreland County to the 1160 acres of land in Prince William County and made their homes there. When Peter died in 1741, each of these sons received 325 acres of the land with the remainder going to Peter's daughter and granddaughter. William and James' children were born there and they both died there in 1751, apparently at a young age since their children were still minors. Some of Thomas' children were born there. In 1749 Thomas sold his 325 acres and leased 133 acres of land across the creek in Prince William County. Thomas died in Prince William County in 1778.

Peter Smith of Westmoreland County made his will on January 10, 1738. It was probated on May 12, 1741. An inventory of his personal property was made and copies of these documents, as recorded in the Westmoreland County records, are shown on pages 17, 18 and 19. It is noted that Peter's inventory of personal property includes one yoke of oxen, two young steers, two heifers, a yearling and a cow and calf.

The remaining segment of this PART addresses the question of: Who was the father of Peter Smith of Westmoreland County, Virginia (Died 1741)?

The book, *A Smith Family-Pioneers of the South*, by Wilmer Lane Smith, states that the PROGENITOR of this Smith family was **ROBERT SMITH** of Westmoreland County. It also shows **NICHOLAS SMITH** as the son of **ROBERT** and, **PETER SMITH** of Westmoreland County (Died 1741) as the son of **NICHOLAS**. It traces the movement of Peter's son, **THOMAS SMITH**, from Westmoreland County to Fairfax and Prince William Counties; Thomas' son, **PETER SMITH**, to Spartanburg County, South Carolina prior to the Revolutionary War; Peter's son, **PETER SMITH, JR.** of Spartanburg to Henry County, Georgia and then on to Talladega County, Alabama in 1850.

The book, Colonial Virginians and Their Maryland Relatives - A Genealogy of the Tucker Family, by Norma Tucker, also shows the same family links, i.e. Robert to Nicholas, Nicholas to Peter, and Peter to Thomas.[2]

Since publication of Wilmer Lane Smith's book in 1991, the

authors have done additional research and learned of research by others on this particular SMITH family. All the researchers agree that the Peter Smith of Westmoreland County, Virginia, who died in 1741 and who is discussed in the *A SMITH FAMILY*, is the early ancestor of this particular SMITH branch. However, several researchers think that this Peter Smith's father was another Peter Smith rather than Nicholas Smith as postulated in *A Smith Family-Pioneers of the South* and the book, *Colonial Virginians and Their Maryland Relatives*. The link between Nicholas Smith and Peter Smith (d. 1741) in Wilmer Smith's book was based on Nicholas' will of 1731 which listed sons named Nicholas, PETER, James and John. Nicholas' will was also witnessed by a Thomas Smith and we know that Peter Smith of Westmoreland (d. 1741) had a son named Thomas. We know of no other Thomas Smith contemporaneous with Peter and Nicholas. A copy of Nicholas Smith's will, as recorded in Westmoreland County records, is shown on page 20.

When writing the above book, the author, Wilmer L. Smith, knew there was another, older, Peter Smith in Westmoreland County but could find no link between the two. No will has been located for the earlier Peter Smith. It is believed that he died in 1693. A professional genealogist familiar with Westmoreland County records (and one whose books are cited as source material herein) has stated that some of the older County records were either lost or were badly deteriorated when they were transcribed to a new and more durable record, but, in his opinion, this Peter Smith is the father of our Peter Smith who died in 1741. The following is quoted from the correspondence of Mr. John Frederick Dorman dated December 27, 1991:

Mr. Richard Bender Abell
8209 Chancery Court
Alexandria, VA 22308

Dear Rick:

The copies of various pages from Pearl O. Smith's *Peter Smith, Some of His Virginia, North Carolina, and Kentucky Descendants (revised ed.; Washington, 1991)*, Wilmer Lane Smith's *A Smith Family, Pioneers of the South* (Baltimore, 1991), and my letters written in 1976 to Louis H. Martin of Martinez, CA, have been received and I have reviewed the information contained in them.

....

We are told that Nicholas Smith left land to his son Peter but this comes only from a very brief abstract of Nicholas' will as published by Augusta Fothergill. Had a copy (or a more detailed abstract) been provided from the records of Westmoreland County we might know more about

how much acreage this Peter received. The abstract indicates that Nicholas divided a single tract among his sons Nicholas, Peter and James but Mr. Smith has provided no information about the disposition of any of this land by any of these sons. The surviving records of Westmoreland County are much more complete and without apparent gaps by the time these sons would have been disposing of their inheritance by deed, will or intestate succession, yet nothing is provided to give any time to this crucial factor in supporting Mr. Smith's contention.... He [Mr. Smith] would have found the deed recorded in Westmoreland County Deeds & Wills 13, pp. 154-155a, whereby Peter Smith and Elender his wife of Cople Parish on 3 November 29 George III (1756) sold to Robert Moore 41 acres, being part of a tract whereon Nicholas Smith formerly lived, adjoining the land of John Baleys, deceased. This is Nicholas', son Peter, who was living some fifteen years after your (and his) Peter Smith died in 1741.

My own research for Mr. Martin shows that in 1769 Peter Smith, Sr. (III) conveyed to his son Peter 60 acres, part of land formerly purchased of George Searles (Westmoreland Co. Deeds & Wills 15, p. 37). The deed whereby this land was purchased has not survived but there is entered in the court orders of 22 Feb. 1692/3 the relinquishment of dower of Eliza., wife of George Searles, in about 60 acres on the branches of Nominy conveyed by her husband to Peter Smith (Order Bk. 1690-98, p. 89). Given the absence of any other record of a sale from Searles to Smith and the mention of 60 acres in both records, I find it hard to believe that the two records do not concern the same land.

The grant of 70 acres to Peter Smith on 10 Oct. 1692 (Northern Neck Grants, v. 1, pp. 190-91) adjoined land of Richard Searles and land whereon Peter Smith was then resident according to the survey made on 20 April 1686 and the records show that Richard Searles died before 1692 and that George Searles was his heir.

If Peter Smith was already a landowner in 1686, I do not see how he can be identical with Nicholas Smith's son Peter. Nicholas was still a minor orphan on 28 Aug. 1678 (Westmoreland Co. Order Bk. 1675/6-1688/9, p. 131)...

Although I do not remember any of the circumstances connected with my research for Mr. Martin and had, in fact, forgotten that I had investigated the Peter Smith question, a review of my rough notes made at the time indicates to me that I made a extensive search. I feel entirely confident of the correctness of the analysis which I made, with, of course, the caveat that there are

many missing records and those which survive are in many instances later copies...

The loss of records makes it difficult to determine whether the Peter Smith named in the 1670s is the Peter Smith who died in 1741 or an elder Peter. Unless Peter (died 1741) was a very old man (I found nothing to indicate an age at any period of his life) it would be reasonable to conclude two generations are involved and this is borne out by the reference to Peter Smith, Sr., on 29 July 1691 in the proving of George Lankin's will (Order Bk. 1690-98, p. 31a) and the grant from the Proprietors of the Northern Neck on 10 Oct. 1692 to Peter Smith, Jr. (Norther Neck Grants, v. 1, pp. 190-91). While I found nothing to prove conclusively the two Peters were father and son, they can at least be placed in the same general area of Westmoreland County and it seems entirely reasonable to conclude that the elder Peter was the father of at least three children, Vincent, James and Peter who came of age in the early 1680s.

....

Sincerely yours,
(signed)
Fred Dorman

Mr Dorman refers to correspondence to Mr. Lewis Martin in 1976. The correspondence, dated 28 July 1976 is show on pages 21 through 25.

An important question that arises after viewing the research of others is, when was Peter Smith of Westmoreland County (d. 1741), Virginia born? Since the authors knew that Nicholas became 21 years of age about 1678, it was believed that Peter (d. 1741) was born ca 1680. This seemed substantiated by indications that several of his children were born ca 1700 and later and many of his grandchildren being born in the 1740s and 1750s. Others, presumably including Mr. Dorman, think that Peter was born in the 1662 time period and some of his children born as early as ca. 1680. This might lead one to think that he may have been married twice since the birth span of his children could be as great as 35 years. Of course this is conjecture. The issue is further clouded by a 1684 land transaction to Peter Smith recorded in 1705 as listed below. Nonetheless, this seems to support the Dorman thesis. What truly confuses the matter is the indication of three contemporaneous Peter Smiths: Peter Sr. (d. ca 1693); his presumptive son, Peter Jr. (d. 1741); who also had a son Peter; and, Peter the son of Nicholas Smith.

In recognition of the thoughts of others who have researched this SMITH family, all the records pertaining to or mentioning the early Peter Smiths of Westmoreland County, are listed below.

While several researchers have concluded that the eldest Peter Smith is the father of Peter Smith of Westmoreland (d. 1741), the records are provided for the benefit of those who may want to pursue the matter further. It must be recognized however, that the lives of fathers and son overlap, time wise, so it is difficult in some cases to know which of the two Peters was involved with respect to a given record. Also, one difficulty in determining the relationships of these Smiths is that they (Robert, Nicholas, Peter, Peter (d. 1741) etc.) all lived in the same general area in the southern part of Westmoreland County and most all used the same names when naming their children, and in particular, their sons. No doubt this indicates commonality of ancestors and family. One of these records cites Peter as a Senior and one cites a Junior. Nonetheless, it is important to note that this does not necessarily mean that one was the father and the other the son. Seventeenth century custom utilized these terms both to indicate a father/son relationship and to establish age precedence amongst people of like names--whether they were related or not.

These records are listed as follows (Note: Spellings that follow are directly from the quoted source):

(1) In 1651 Peter Smith was brought from Europe to Northumberland County, Virginia by Thomas Thornbrough.[3] [Westmoreland County, Virginia was subsequently formed from Northumberland County in 1653. Emphasis added].

(2) July 15, 1657. Peeter Smith, 500 acs. in Petomeck freshes, N. Ely. upon a creek above Col. Speakes land & S. Ely. upon land called Gosnells land. Trans. of 10 pers: Rob. Clerke, Rob. Holmes, Math. Wardle, Anne Hamond, Tho. Dorwood, Anne Forty, John Ayres, Francis Ayres, Richd. Hardman, Tho Webster.[4] [Emphasis added].

(3) November 1666. Patent of Sir William Berkeley unto Coll. Nicholas Spencer of 500 acres in Potowmeck freshes, northeasterly upon a creeke above Coll. Speake's land, southeasterly upon the land called Gosnell's land ... formerly granted unto Peter Smith by pattent 15 July 1657 and by him deserted and granted unto Mr. Isaac Allerton by order of the Generall Court 6 April 1662 and by him likewise deserted and upon petition of Coll. Spencer granted ...[5] [Note: Pursuant to the book, *Beginning at a White Oak...The Patents and Northern Neck Grants of Fairfax County, Virginia*, by Beth Mitchell (1977), this land is now in Fairfax County, Virginia, located near the historical residence of George Mason]. [Emphasis added].

(4) July 6, 1672. Vincent Cox of Yoacomaco in Copley Parish, Westmoreland County, unto Geo: Lamkin of Yoacomaco and to the heirs of his body on the body of Hannah

Lamkin his wife lawfully begotten or to the begotten and for want of such issue then to the heires of the said Hannah Lamkin. Parcell of land ... on a branch falling into Nominy River ... in Mr. Fra: Clay's line ... at the head of a branch falling into Yoacomaco River ... being part of 665 acres granted to me by pattent 27 Sept 1667. Signed Vincent Cox, Wit: Peeter Smith, Ja: Gaylard.[6] [Emphasis added].

(5) April 15, 1673. Wee being impanelled as a jury of inquest upon the corps of Goodman Tho: Shaw found in the woods about a mile and a halfe from Robt: Middleton's plantation, doe declare that it appears to us being absent from his house the 4 of this instant and not seen but the 5th at night that he was lost in the woods and between the 5th and 6th day came by his death through the tempestuousness of the weather being starved by cold and hunger and noe otherwise can we immadgine. Capa. Jno. Lee, corroner. Signed: Peeter Smith, Vincent (X) Cox, Jno. Garner, George Knott, Robt. Bennett, Rich: (X) Pullin, Tho: (X) Pering, Rich (X) Tidwell, Stephen (X) Bally, Jno. (X) Williams, Tho: (X) Bee, Mallachy (X) mlonia(?).[7] [Emphasis added].

(6) August 26, 1677. Wee being upon a Jury concerning the death of John Lamking giveth our verdict that John Lamking being supposed to be raining his horse to stay him to take up his hatt did apperedently strick his horse and his owne body against a tree by which stroke he died. Tho: Yowell, crowner, Joh: Newton, Robrt: Bennett, Petter Smith, Stephen (SB) Bayley, Henry (HM) Manders, Wm. (A) Cherne, John Newton, H O K (?), Geo. Miles, Wm Clarke, Wm Rust, Robert (X) Selfe, Morgan Jones. Sworne before W. Peirce.[8] [Emphasis added].

(7) February 25, 1684/85. Peter Smith, brother of Vincent Smith, pray'd that hee might bee admitted to prove his brother's nuncupative will and that hee might have administration granted him with the will annext, which said nuncupative will being proved by Morgan Williams, Robt. Voare and Katherine Williams, the Court order that Peter Smith bee admitted to the administration with the will annext. Stephen Baylye did assume in 15,000 pounds of tobacco with Peter Smith for the true performance of the matters. The Court order that Richard Tydwell, Robert Bennett, John Baylie and Robert Smith apparise the estate on 1 May next and Mr. Edward Francklin is desired to sweare the appraysers.[9] [Emphasis added].

(8) June 15, 1684. James Smith of Westmoreland County to my brother Peter Smith of Yeocomico. For a valuable consideration. 100 acres in Nominy Forest bought of Wm.

Webb ... adjoining Wm. Webb. Signed: James Smith, Wit: Richard Bruckes, Richard Belleman. 30 May 1706. Recorded.[10] [Note: Emphasis added. See item 20 below for additional information].

(9) May 30, 1688. Peter Smith was appointed Constable in Westmoreland County, Virginia.[11] [Emphasis added].

(10) July 29, 1691. The last will and testament of George Lampkin was this day produced in Court and duely proved by the oaths of Peter Smith Senr., Margarett Goreing and James Ellis witnesses thereto, and a probat thereof granted to the executrix therein named.[12] [Emphasis added].

(11) February 22, 1692/3, Eliza, wife of George Searles relinquished, on 22 February 1692/3, her dower to about 60 acres on the Branchs of Nominy conveyed by her husband to Peter Smith by indenture 21 February 1691 (1692).[13] [Emphasis added].

(12) October 10, 1692. Grant from Proprietor of the Northern Neck to Peter Smith, Jr., of 70 acres beginning nigh a valley which descends into a branch of Nominy river, by a path which leads to Mrs. Hull's quarter ... land of Richard Searle ... land of Mr. Middleton ... land whereon the said Peter Smith is now resident ... as by survey under the hand of Mr. John Haney, surveyor, dated 20 April 1686 and entry made in Mr. Secretary's Office 1 March 1686/7. Rights entered in Secretary's office 1 March 1686/7: Coveley Cannalon, Eliza. Davis.[14] [Emphasis added].

(13) October 21, 1696. John Bayly of Cople Parish, Westmoreland County, to William Walker of same. For one half part of the charges for surveying and pattenting. 100 acres, part of 203 acres to be laid out on the west side of the tract. I have taken upp, surveyed and pattented 203 acres ... by a swamp that divideth this land and the land of Robert Middleton .. and of Peter Smith ... by pattent bearing date 1 September last past and signed by William Fitzhugh one of the Proprietor's agents ... John Bayly.[15] [Emphasis added].

(14) December 26, 1697. Peter Smith and Peter Dunkan were shown as trustees in the will of William Clarke. On June 28, 1698, Peter Smith, William Linton and Wm. Harper presented the Inventory of William Clarke.[16] [Emphasis added].

(15) Apr. 7, 1697. Peter Smith witness to will of Richard West.[17] [Emphasis added].

(16) July 26, 1704. It is ordered that Elizabeth Ware, relict and executrix of John Ware, do return a full and perfect inventory of the deceased's estate. It is also ordered that Peter Smith, Thomas Moverly, Richard Hammock and Hugh Money appraise the estate. September 15, 1704. Peter Smith, Thomas Moverley and William Remy reported the inventory of John Ware.[18] [Emphasis added].

(17) Jun. 18, 1704. Peter Smith on Jury duty. Mr. Jno. Chilton vs Luke Thorton.[19] [Emphasis added].

(18) June 18, 1704. In obedience to an order of 31 May 1704, I did meet a jury of freeholders upon the lands and premises in controversie between Mr. Jno. Chilton, plaintiff, and Luke Thornton, defendant, on the third Monday in June last, and did by order of the jury, sworn before Capt. John Bushrod, proceed to a survey of the lands as the jury did direct me, according to a patent formerly granted unto Mr. Thomas Speke, deceased, and since by several conveyances become the right of Chilton, the juryors being Mr. Michl. foreman (sic), John Garner, Saml. Rust, Francis Atwill, Lawrence Pope, Edward Washington, John Champ, Peter Smith, Robert Sanford, James Smith, Edward Ransdale, Francis Self ... at the mouth of a creek at the north west point thereof dividing this land from the land of Walter Broadhurst, deceased, butting No: east to Hollows Marsh and extending thence North westerly up Nominy Bay to the mouth of a creek dividing this land from the land of John Hollowes deceased ... west side of a branch dividing this land from the land of Walter Broadhurst, deceased, now in the occupation of Col. Robert Carter ... to the head of Curryoman Creek ... including 900 acres. Thomas Thompson, surveyor.[20] [Emphasis added].

(19) June 20, 1704. We whose names are subscribed being summoned by the Sheriff by virtue of an order of 31 May 1704 in a action of trespass between John Chilton and Luke Thornton, being sworn by John Bushrod Gent., to lay out the land with Francis Thompson, surveyor, do say that the defendant Luke Thornton is a trespasser upon the lands and that John Chilton hath sustained by occasion of the trespass £15 sterling. Michl. Willington, foreman, John Garner, Samuel Rust, Francis Atwill, Lawrence Pope, Edward Washington Senr., John Champ, Peter Smith, Robert Sanford, James Smith, Edward Ransdale, Francis Self. Thomas Thompson, surveyor.[21] [Emphasis added].

(20) May 13, 1706. Hannah Breel spouse to Henry Breel of Northumberland County, only daughter and child of the deceased James Smith of Westmoreland County, with the consent of Henry Breel, to Peter Smith. Our interest in

the land. Signed, Hannah Breel, Henry Breel, Wit: John Davidson, Margrett Smith. - May 13, 1706. Henry and Hannah Breels of Northumberland County appoint James Graham of Westmoreland County our attorney to acknowledge and assignment of our right to some land mentioned in a bill of sale granted by the deceased James Smith to Peter Smith his brother. Signed Henry Breel, Hannah Breel, Wit: John Davidson, Margrett Smith. 30 May 1706. Recorded.[22] [Emphasis added. This concerns the land Peter purchased from his brother James in 1684 as mentioned in item 8 above. Also of interest is that a Margrett Smith signed as a witness. She may be the wife of Peter. See page 1].

(21) June 30, 1712. Peter Smith, granted by the Right Honorable Catherine Fairfax ... proprietor of The Northern Neck of Virginia ... whereas Peter Smith of Westmoreland ... land belonging to me in County of Stafford ... did on ye 5 day of March 1709 obtain a warrt from my office for laying out ... and Peter Smith having returned a survey thereof ... to Peter Smith 1160 (acres) land ... on northside of ye little or lower North run of Occuquan River ... 30 June 1712.[23] [Note: This is the 1160 acres shown in, *A Smith Family, Pioneers of the South,* by Wilmer Lane Smith]. [Emphasis added].

(22) 1723. Quit rent for 1723-Stafford Co.,Virginia. Peter Smith, 1160 acres. He lived in Westmoreland County, Virginia.[24] [Emphasis added].

(23) 3 Nov. 1756. This Indenture made this 3rd day of November 1756...Peter Smith & Elender his wife of the Parish of Cople and County of Westmoreland Planter of the one part and Robert Moore of the afsd Parish and County of the other part witnesseth that said Peter Smith and Elender his wife for and in consideration of the sum of twenty pounds current money to them in hand ... doth grant bargin and sell ... unto the said Robert Moore ... all that Plantation Parcel and Tract of land containing Forty One acres of land to the same more or less & Situate lying and being in the Parish of Cople and County of Westmoreland being part of a tract of land whereon Nicholas Smith formerly lived on which may appear by the record of the County Court of Westmoreland now vested Lawfully in the Said Peter Smith and Elender his wife the said land adjoining to the land of John Baley's Deceased together with all houses, out houses ... [Note: This recorded record is quite lengthy and some parts not legible. Two of the witnesses were Stephen Smith and Samuel Smith].[25] [Emphasis added].

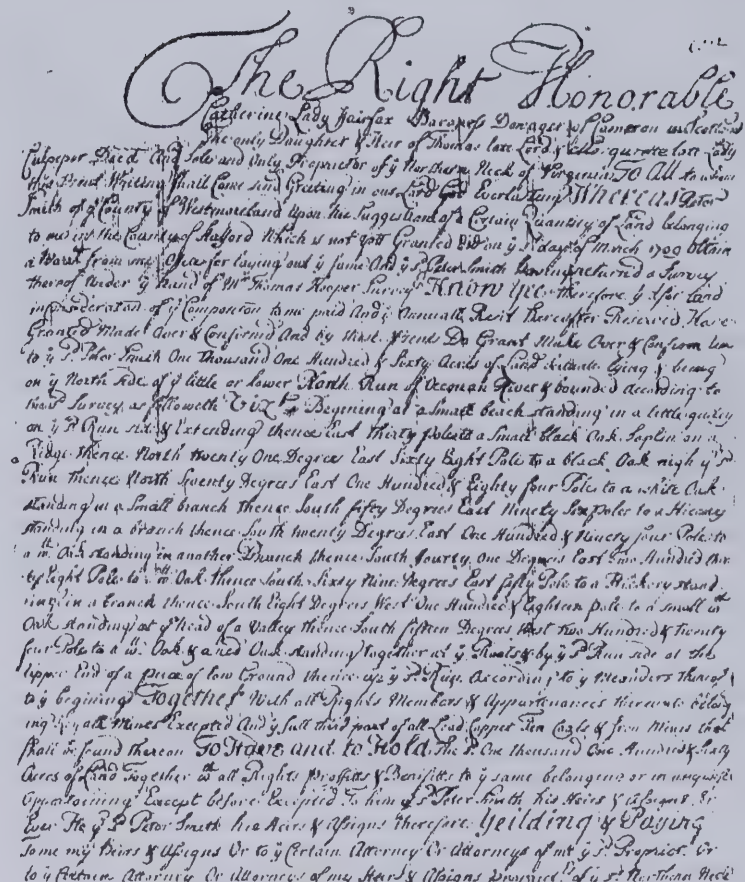
(24) 1769. 29 July 1769. Peter Smith, Senr., of Cople

Parish, Westmoreland County, to my loving son Peter Smith, Junr., of same. For love and affection. 60 acres whereon my son Peter Smith now lives, being part of land formerly purchased of George Searls ... [adjoining] land of the Honble. Robert Carter... Mr. Francis Wright, Mrs. Eliz: Mcfarland and Capt. Ben. Middleton ...the branch and valley to be the division between said land and the land where I now dwell. Signed: Peter Smith. Witnesses: Jas. Baley, William Smith, Haraway [?] (X) Jackson. 29 Aug. 1769. Proved. [This Peter Smith, Senr., is apparently the son of Peter Smith (died 1741).The description of the land is similar to that listed under item (12) above.[26] [Emphasis added].

We know by the will of Nicholas Smith that he had a son named Peter. However, the land sale by Peter Smith and his wife Elender, as listed under item 23 above, indicates that Nicholas' son Peter was still alive in 1756 while we know that the Peter Smith, our proven ancestor, had died\in 1741.

Although one cannot be positive, it appears that of the above records, items (1) through (6) and (10) involve the elder Peter Smith. Items (7) through (22), except (10) involve Peter Smith (died 1741). Item (23) involves Peter Smith the son of Nicholas Smith and item (24) involves the son and grandson of Peter Smith (died 1741).

Thus, considering the totality of the extant records, the preponderance of the evidence is that Peter Smith (died 1741) was the son of Peter Smith, Sr. (died ca 1693 who arrived in the Colony of Virginia in 1651).


The Right Honorable
Catherine Lady Fairfax Baroness of Dangers & Cameron wife to the
Lord Proprietor Sole and Only Proprietor of ye Northern Neck of Virginia To All to whom
these Present Writing shall Come Sent Greeting in our Lord God Everlasting Whereas Peter
Smith of ye County of Westmoreland Upon the Suggestion of a Certain Quantity of Land belonging
to me in the County of Stafford which is not yet Granted Did on ye 8 day of March 1700 obtain
a Warrt from me Or Surveyor Laying out ye same Which ye Said Peter Smith having returned a Survey
thereof Under ye Hand of Mr Thomas Hooper Surveyor Know ye therefore ye Said Land
in Consideration of ye Composition to me paid And ye Annual Rent Hereafter Reserved Have
Granted Made Over & Confirmed And by these Presents Do Grant Make Over & Confirm unto
ye Said Peter Smith One Thousand One Hundred & Sixty Acres of Land Situate Lying & being
on ye North side of ye Little or Lower North Run of Occoquan River & bounded according to
the Survey as follows Viz Beginning at a Small beech standing in a little gullet
on ye Said Run side & Extending thence East thirty poles to a Small black Oak Sapling on a
Ridge thence North twenty One Degrees East Sixty Eight Pole to a black Oak nigh ye Said
Run thence North Seventy Degrees East One Hundred & Eighty four Poles to a white Oak
standing at a Small branch thence South fifty Degrees East Ninety Six Poles to a Hickory
standing in a branch thence South twenty Degrees East One Hundred & Ninety four Poles to
a 4th Oak standing in another Branch thence South fourty one Degrees East One Hundred Sixty
Eight Poles to a 4th Oak thence South Sixty Nine Degrees East fifty Poles to a Hickory stand-
ing in a branch thence South Eight Degrees West One Hundred & Eighteen poles to a small 4th
Oak standing at ye Head of a Valley thence South fifteen Degrees West two Hundred & Twenty
four Poles to a 4th Oak & a red Oak standing together at ye Rivulet by ye Said Run side at the
Upper End of a Piece of low Ground thence up ye Said Run According to ye Residues thereof
to ye beginning Together With all Rights Members & Appurtenances thereunto belong-
ing Ye all Mines Excepted And ye full third part of all Lead Copper Tin Coals & Iron Mines that
shall be found thereon To Have and to Hold the Said One thousand One Hundred & Sixty
Acres of Land Together with all Rights Profits & Benefits to ye same belonging or in anywise
Appertaining Except before Excepted To him ye Said Peter Smith his Heirs & Assigns for
Ever He ye Said Peter Smith his Heirs & Assigns therefore Yeilding & Paying
Some my Heirs & Assigns Or to ye Certain Attorney Or Attorneys of me ye Said Proprietor Or
to ye Certain Attorney Or Attorneys of my Heirs & Assigns Proprietors of ye Said Northern Neck
Yearly & every Year on ye Feast of St Michaell ye Archangell Angell ye Rent of One Shilling
Sterling Money for every fifty Acres of Land Hereby Granted Provided ye Said

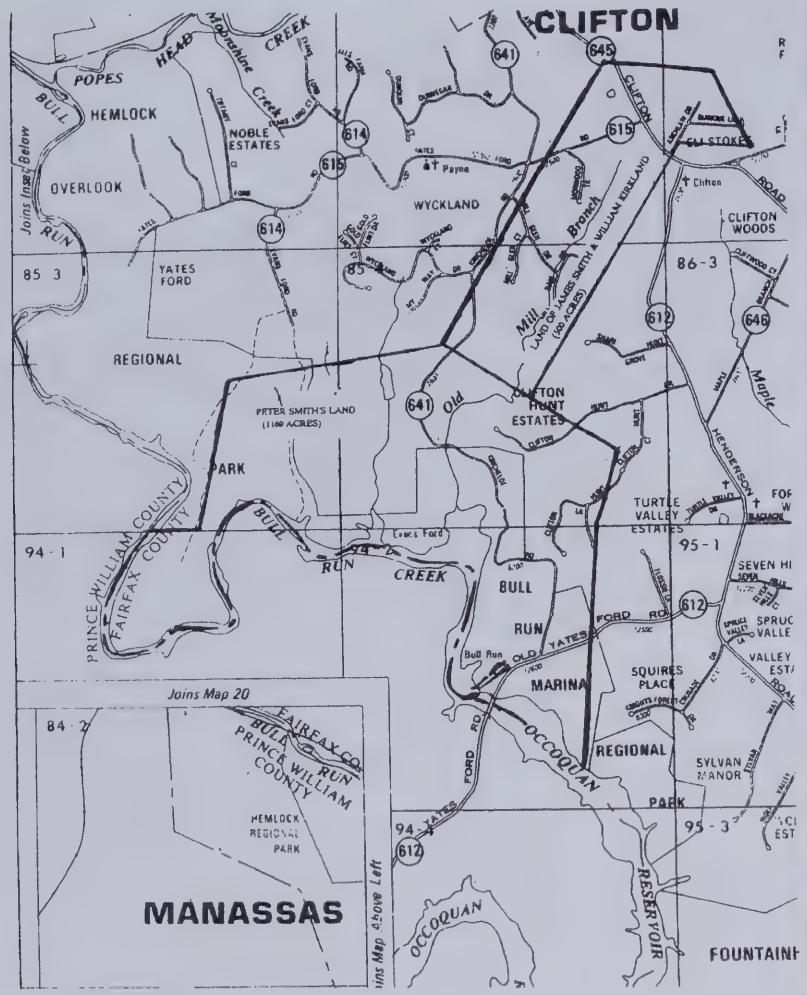
PETER SMITH LAND PATENT (CONT'D)

Peter Smith his Heirs & Assigns shall not pay the Before Reserved Annual Rent say of the Same or any part thereof shall be behind or Unpaid by the Space of two whole Years after the same shall become Due if Lawfully Demanded & then it shall & may be Lawfull for me my Heirs & Assigns Extend Attorneys or Agents into ye above Granted premises to Reenter and Avoid & frustrate as fully to all Intents & purposes as if this Grant had never passed. GIVEN at my Office in Essex Lancaster County under my Seal of Property & under my Seal. Witness my Agent & Attorney Colly Washington thereto Dated ye Fourteenth Day of June In the Eleventh Year of the Reigne of our Soveraign Lady ANNE of Great Britain France & Ireland Queen Defender of the Faith &c Anno Dom: 1712

Peter Smith his Deed for 1160 acres of Land in Stafford

MAP OF PRINCE WILLIAM AND FAIRFAX COUNTIES, VA

MAP SHOWING PETER SMITH'S LAND IN FAIRFAX COUNTY, VA



WILL OF PETER SMITH (DIED 1741)

In the name of God amen the Tenth day of January 1738 I Peter Smith of the Township of Westmoreland in Virginia being in health and of perfect mind and memory thanks be given unto God therefore calling to mind the mortality of my Body and knowing that is appointed for all men once to die do make and ordain this my last will and Testament that is to say Principally and first of all I give and Recommend my soul into the hands of God that gave it and my body I Recommend to the Earth to be buryed in decent Christian buryal at the discretion of my Executors nothing doubting but at the General Resurrection I shall receive the same again by the mighty Power of God and as touching such worldly Estate wherewith it hath Pleased God to bless me in this life I give demise and dispose of the same in the following manner and form. Imprimis I give and bequeath to my Daughter Mary Fleming forty Eight acres of Land where she now lives according to the Course of a Survey that Barber made Beginning at a corner tree of Wheelons land to her and her heirs for Ever Item I give to my son Peter Smith the Remaining Part of all the Land that I possess in Westmoreland County to him and his heirs for Ever Item I give to my son James Smith three hundred and twenty five acres of Land in Prince William County lying and being upon Bull Run where he now lives to him and his heirs for Ever Item I give and bequeath to my son Thomas Smith three hundred and twenty five acres of Land in the aforesaid County where he now lives to him and his heirs for ever. Item I give to my son William Smith three hundred and twenty five acres of Land in the aforesaid County to his Liking out of the Remaining Part of the same tract of Land to him and his heirs for ever. Item I give to my Daughter Abigail Flemine and my Land Daughter Anne Bailey the Remaining part of that tract of Land in Prince William County aforesaid my Daughter Abigail having the first Choice, to them and their heirs for Ever And as for what Moveable Estate I hath pleased god to bestow upon me I give and bequeath as followeth. Item I give and bequeath to the heirs of my son John Smith one Shilling Sterling money. Item I give to my son James Smith one Shilling Sterling money. Item I give to my son Thomas Smith one Shilling Sterling money. Item I give to my son William Smith one Shilling Sterling money. Item I give to the heirs of my Daughter Anne Thomas one Shilling Sterling money. Item I give to my Daughter Mary Fleming one Shilling Sterling money. Item I give to my Daughter Hannah Ware one Shilling Sterling money. Item I give to my Daughter Martha McClanahan a feather bed at the discretion of my Executor hereafter named. Item I give to my Daughter Abigail Fleming one Shilling Sterling money. Item and the rest of my moveable Estate not already

Bequeathed I give and bequeath to my son Peter Smith whom I likewise do ordain make and ordain my whole and sole Executor of this my Last will and testament. And I do hereby utterly Disallow Revoke and disannull all and every Other former Testaments Wills Legacies and Bequests and Executors by me in any ways before named willed and bequeathed Ratifying and confirming this and no other to be my Last will and Testament In witness whereof I have hereunto set my hand and seal the day and Year above written

Peter Smith (his ✗ mark) Signed Sealed Published Pronounced and declared by the said Peter Smith as his Last will and Testament in the presence of us Witnesses. James Walker. Stephen Bailey Junr. Hugh Thomas.

Westmoreland ss. At a Court held for the said County the 28th day of April 1741. This Last will and testament of Peter Smith deceased Being presented into Court by Peter Smith his son and Executor who made Oath thereto and Being proved by the Oath of all the Witnesses thereto is admitted to Record. and upon the motion of the said Executor and his Performing what is usual in such Cases Certificate is granted him for obtaining a Probate thereof in due form. Recorded the twelth Day of may 1741.

Teste George Turberville Clk C

Westmoreland ss. In obedience to an order of court held for the said County the 28th day of April 1741 we the subscribers names are hereunto subscribed being appointed by the said Court to take and appraise the Estate of Peter Smith deceased (viz viewing) Being Sworn by Mr. Parcely Gent. one of his Majesty's Justices of the Peace for the said County to have to the best of our judgments appraised the same as follows viz.

	£	s	d		£	s	d
To one yoke of Oxen d.	4	10	0	To Seven old Coulters d.		15	0
To 2 Young Horses d.	5	5	—	To one feather Bed and furniture d.	3	10	0
To one Ox yoke and Irons d.	0	13	6	To one feather Bed and furniture d.	6	5	0
To one old Ark and Wheels d.	4	3	0	To one old Table & Cupboard d.	0	9	9
To 3 pair of old Gyves wts. 19 lb 6	0	19	6	To one Bible and two old Books d.		17	0
To Sixty Bushels of Good Wheat d.	0	15	0	To Forty old Pewter d. and 18 Spoons d.	2	12	6
To 3 Pigs Pigs of a sow d.	0	9	8	To Seven Earthen Ware d. 1/6 and Wearing Clothes d. 30/	1	11	6
To 2 Wearing Cows d.	0	6	9	To Some Water d. 6/6 and Iron old Baggs d. 2/	0	8	0
To 1 Bell of Iron Wedges d.	1	4	0	To Two Cow Boxes d. 4/ and one Looking Glass d. 6/	0	14	0
To 1 Bell of Iron Wedges d.	0	10	6		£	72	0
To Sixty Pigs d.	0	5	4	Robert Middleton			
To one wearing Bullock d.	0	8	6	Benjn. Middleton			
To 1 old Sorrel d.	0	7	6	George Walker			

Peter Smith his ✗ mark
Sworn by Jos. Parcely

Westmoreland ss. At a court held for the said County the 26th Day of May 1741. Peter Smith Son and Executor of Peter Smith deceased returned into Court upon oath this Inventory of the said deceased Peter Smith is admitted to Record.

Test. Turberville Clk

Recorded the Eighth day of June 1741.

WILL OF NICHOLAS SMITH

Nich. Smith's Will

In the Name of God Amen I Nicholas Smith of the Parish of Cople and County of Westmoreland being in perfect health memory and Remembrance do make Comfort this my last Will and Testament in manner and forme following my soule I commit my Body to God that gave it hoping that through the merits of Jesus Christ to receive his pardon and forgiveness of all my sins and my body to be buried in Christian Burial at the discretion of my Executors hereafter nominated and what worldly goods the Lord to Lend me I give and bequeath in manner and forme following my debts first paid Item I give unto my Son Nicholas Smith the half of all my Estate and my Land to my three Sons Nicholas Smith Peter Smith James Smith equally to be divided amongst the three and the other half of Charles and Hannah to be equally divided amongst all my Sons and daughters Except my Son John Smith Item I give him one Shilling and I do exempt my Young Son Nicholas Smith Executor of this my last Will and Testament In Witness whereof I have hereunto set my hand and Seal this Twenty third day of July 1728. —

Thomas Smith
James Scaly

Nicholas
his Mark
Smith

Item I give my Land to my three Sons Nicholas Smith Peter Smith and James Smith to them and their Heirs for Ever and if any die without Heirs his part to fall to the next Heir and if any desire to sell or part with his part it shall be lawful Item I give to my Son John Smith One Shilling and no more.

Westmorel. S.S. At a Court continued and held for this County the 18th Day of July 1730

This last Will and Testament of Nicholas Smith dec.d was presented in Court by Nicholas Smith the Executor therein named and who made Oath thereto, and being proved by the Oaths of the Witnesses thereto, is admitted to Record. —

Recorded the Seventeenth day of March 1730

Test

DORMAN'S LETTER TO LOUIS MARTIN-28 JULY 1976

28 July 1976

Mr. Louis H. Martin
Box 2336
Martinez, California 94553

Dear Mr. Martin:

The loss of so many of the records of Westmoreland County, Virginia, prior to 1700 makes it difficult to establish some relationships conclusively but I believe that it can be demonstrated that your I Peter Smith who died testate in 1741 was the son of the earlier I. Peter Smith who received a patent for 500 acres in Potomac freshes adjoining Col. Speake and Gosnell's land on 15 July 1657 (Nell M. Nugent, CAVALIERS AND PIONEERS [Richmond, 1934], p. 351).

Peter Smith II in his 1738 will (proved 1741) left a small tract of 48 acres to his daughter Mary Fleming and the remainder of his Westmoreland County land to his son Peter III. The deed whereby Mary's son Alexander Fleming sold this 48 acres does not recite the title to that land but by tracing the land holdings of the son Peter we can establish the earlier period.

The following deed is particularly important:

> 29 July 1769. Peter Smith, Senr. III, of Cople Parish, Westmoreland County, to my loving son Peter Smith, Junr. IV of same. For love and affection. 60 acres whereon my son Peter Smith now lives, being part of land formerly purchased of George Searls ... [adjoining] land of the Honble. Robert Carter ... Mr. Francis Wright, Mrs. Eliz: McFarland and Capt. Ben°. Middleton ... the branch and valley to be the division between said land and the land whereon I now dwell.
>
> Peter Smith
>
> Witnesses: Jas. Baley, William Smith, Haraway[?] (X) Jackson.
>
> 29 Aug. 1769. Proved.
>
> (Westmoreland Co., Va., Deeds & Wills 15, p. 37)

We know from Westmoreland County Order Book 1690-98, p. 89, that on 22 Feb. 1692/3 Eliza. the wife of George Searles relinquished her dower in about 60 acres on the branches of Nominy conveyed by her husband to Peter Smith by indenture 21 Feb. 1691 [1692] and (p.96) that George Searles acknowledged this deed to

Peter Smith on 31 May 1693. Almost all of the early record books of Westmoreland County are copies and when these copies were made the original books were destroyed. In many cases the originals must have been in very bad condition before they were copied because there are gaps in the records. It appears that the scribes transcribed only records relating to land but even so there are deeds which are missing now. The deed from Searles to Smith is one of these.

I could not identify with any certainty the other land which Peter Smith (died 1741) held and passed on to his son Peter. The son is the Peter Smith, Sr., III who left a will dated 1 April 1774 and proved in June and Aug. 1774 (Westmoreland Co., Va., Deeds & Wills 16, p. 398) in which he left to his son John the plantation whereon he [the testator] lived binding on the branch between that and son Peter Smith's land and to his grandson Peter Smith the plantation whereon he [the grandson] lived adjoining the land given to John.

The grandson Peter appears to have been the son of James Smith, a deceased son of Peter (died 1774). Peter Smith, son of Peter (died 1774), made his will on 9 Aug. 1774 (Westmoreland Co., Va., Deeds & Wills 16, pp. 56-58) and mentions Sarah Smith, brother James' widow. On 10 Feb. 1894 Sarah Smith and Peter Smith of Westmoreland County (Deeds & Wills 19, pp. 46-47) sold to Ransdell Peirce a tract of 72 acres 27 poles in Cople Parish. This is obviously the widow Sarah Smith and her son Peter joining to convey land in which both had an interest, Sarah's possibly being only a dower right.

From the 1769 deed we know the 60 acres acquired from Searles [by Peter Smith, father of the seller] adjoined other land he owned and from the will we know this passed to John Smith and another adjoining tract passed to Peter Smith, son of James and Sarah. This brings us back to the 1692 land grant you have:

> 10 October 1692. Grant from Proprietor of the Northern Neck to Peter Smith, Jr., of 70 acres beginning nigh a valley which descends into a branch of Nominy river, by a path which leads to Mrs. Hull's quarter ... land of Richard Searle ... land of Mr. Middleton ... land whereon the said Peter Smith is now resident ... as by survey under the hand of Mr. John Haney, surveyor, dated 20 April 1686 and entry made in Mr. Secretary's Office 1 March 1686/7.
>
> Rights entered in Secretary's office 1 March 1686/7: Covelev Cannalon, Eliza. Davis.
>
> Survey of 20 April 1686 gives same description of the land.
>
> (Northern Neck Grants, v. 1, pp. 190-91)

Richard Searles was owner of adjoining property in 1686. From Westmoreland County Order Book 1690-98, p. 20, 25 March 1691, we know that Richard Searles was then dead. Westmoreland County Deeds & Wills No. 2, pp. 26-27a, in a record of 17 Dec. 1694 shows that George Searles was the heir at law of his deceased father Richard Searles. George Searles sold 60 acres to Peter Smith which the 1769 deed indicates had one boundary line as a branch and valley. The 1692 grant to Peter Smith, Jr., was at a valley which descends into a branch. I am inclined to believe strongly that the 72 acres 27 poles which Sarah and Peter Smith sold in 1794 is the 70 acres granted in 1692. If it is not, it is certainly adjoining, and would have to be "the land whereon the said Peter Smith is now resident" mentioned in the 1692 grant.

I would assume, however, that the "land whereon the said Peter Smith is now resident" would be the 100 acres in Nominy Forest which was conveyed to him by his brother James Smith on 15 June 1684 (Westmoreland Co., Va., Deeds & Wills 3, pp. 402-03).

You are aware that the use of Junior and Senior in the colonial period merely indicates that there were older and younger men of the same name, not that they were father and son. All of the records of Westmoreland County have now been published by me with the exception of Order Book 1675/6-1688/9. This volume of 700 pages is difficult to read but the basic names appearing in the entries appear in the marginal notations on each page. I read the entire list of these notations and also read in detail any of the entries which appeared to contain other names, particularly the jury lists which are entered from time to time. With one exception, to follow, I found no references to Peter Smith. If I ever prepare full abstracts of this volume something else might turn up but it would have taken days to decipher every word of every entry; as it was, it took a number of hours just to go down the marginal notations.

The one entry I found relating to Peter Smith was:

> 25 Feb. 1684/5. Peter Smith brother of the said Vincent Smith came into Co^rt and prav'd that hee might be admitted to prove his brother's nuncupative will and that he might have administration granted him with the will annexed, which said nuncupative will being proved in Co^rt by Morgan Williams, Robt. Voare and Katherine Williams, the Co^rt order that Peter Smith bee admitted to the administration ... (Westmoreland Co., Va., Order Book 1675/6-1688/9: p. 382)

This is a long court order which goes on to show that Stephen Baylye gave bond with Peter Smith for 15,000 pounds of tobacco as his security and that Richard Tydwell, Robert Bennett, John Baylie and Robert Smith were appointed to appraise the estate of Vincent Smith.

Peter Smith, Sr., was living as late as 29 July 1691 when he proved the will of George Lamkin (Order Book 1690-98, p. 31a). Nothing has been found to indicate when he died. He appears to have lived in the same vicinity as the Lamkin family and to have been associated with them. He was a member of the coroner's jury which investigated the death of John Lamkin (brother of George) on 26 Aug. 1677 (Deeds, Patents, Etc., 1665-77, pp. 339a-340) and was also on a coroner's jury, along with Vincent Cox, to investigate a death which occurred about a mile and a half from Robert Middleton's plantation, 15 April 1673 (ibid. p. 152a). He witnessed the deed dated 6 July 1672 from Vincent Cox to George Lamkin and the heirs of Lamkin's wife Hannah (ibid., pp. 155a-156).

The last mentioned deed suggests a close connection between Vincent Cox and Mrs. Hannah Lamkin. Since Peter Smith was associated with these families and since either he or Peter Smith, Jr., had a brother Vincent Smith, there is a chance they were all related in some way. Mrs. Hannah Lamkin by her second husband Samuel Damouvell had a daughter Elizabeth who married secondly Benjamin Middleton, a grandson of Robert Middleton. These families all lived in the same neighborhood. The fact that Peter Smith, Jr., had land in his 1692 grant (on a 1686 survey) adjoining Mr. Middleton, puts both him and Peter Smith, Sr., in the same area. While it cannot be proved from the extant records that they are father and son, there is good reason to presume they were.

One factor which disturbed me was the grant of 500 acres made to Peter Smith in 1657. I was unable to find anything further about this land to establish whether it could have been held by Peter Smith, Jr., or by his brother James Smith or by Vincent Smith. The matter was finally cleared up upon finding in Deeds, Patents, Etc., 1665-77, pp. 94a-95, the copy of a patent to Col. Nicholas Spencer for 500 acres described as formerly granted unto Peter Smith by pattent 15 July 1657 and by him deserted.

I have not found any other reference to Vincent Smith, nor any references to James Smith which would be helpful in establishing ancestry.

The evidence clearly places Peter Smith (died

1741) in Westmoreland County as early as 15 June 1684. This is the first firm date we have but I am of the opinion he was the son of Peter Smith of 1657. It is not possible to determine which of the Peter Smiths named as headrights in earlier patents, if any, was the Peter of 1657. The most likely, however, would be the Peter Smith named in Thomas Thornbrough's patent of 700 acres (then in Northumberland County) on a branch issuing out of Nominy River (Nugent, op. cit., p. 212). This land, at least, was in the same general area where Peter Smith of 1657 lived, although, since headrights were bought and sold, there is no way of telling whether Thornbrough's Peter Smith was anywhere around what became Westmoreland County.

Although I have not been able to find definite proof, I hope that this information and my comments will be of interest.

With every good wish, I am,

Sincerely yours,

F M Dorman

ENDNOTES

1. William S. Simpson, Jr. Virginia Baptist Ministers -1760-1790, Vol I, pg. 28.

2. Norma Tucker, Colonial Virginians and Their Maryland Relatives - A Genealogy of the Tucker Family, pgs. 158-170, Clearfield Company, Inc., Genealogical Publishing Company, Inc, Baltimore, Maryland (1994).

3. George Cabell Greer, Early Virginia Immigrants, (1623-1666), pg. 303, Baltimore Publishing Co., 1960.

4. Nell Marion Nugent, Cavaliers and Pioneers, Abstracts of Virginia Land Patents and Grants 1623-1666, pg. 351, Genealogical Publishing Company, Inc., 1963.

5. John Frederick Dorman, Westmoreland County, Virginia Deeds, Patents, Etc. (1665-1677), pgs. 94a-95 [D&W 1, pg 406-7] pg. 1, 1973.

6. John Frederick Dorman, Westmoreland County, Virginia Deeds, Patents, Etc. (1665-1677), pgs. 155a-156, pg. 58, 1973.

7. John Frederick Dorman, Westmoreland County, Virginia, Deeds, Patents, Etc. 1665-1667, pg. 152a, pg. 55, 1973.

8. John Frederick Dorman, Westmoreland County, Virginia Deed, Patent, Etc., pgs. 339a-340, pg. 13, 1973.

9. John Frederick Dorman, Westmoreland County, Virginia Order Book 1675/6-1688/9, Part 4, 1684/5-1685/6, pg 382, pg. 10.

10. John Frederick Dorman, Westmoreland County, Virginia Deeds & Wills No. 3, 1701-1707, pgs. 402-403, pgs. 97-98, 1967.

11. John Frederick Dorman, Westmoreland County, Virginia, Order Book 1675/6-1688/9, Part 6.

12. John Frederick Dorman, Westmoreland County, Virginia Order Book, 1690-1698, pg 31a, pg. 47, 1962.

13. Westmoreland County, Virginia Order Book 1690-98, pg. 89.

14. Northern Neck Grants, Vol. 1, pgs. 190-91.

15. John Frederick Dorman, Westmoreland County, Virginia Deeds & Wills 1690-1699, pgs. 89a-90, pg. 36.

16. Westmoreland County, Virginia Wills and Deeds, pgs. 129a-130a and 164a-165.

17. Westmoreland County, Virginia Order Book 1690-98, pg. 65.

18. Westmoreland County, Virginia Order Book 1698-1704, pg. 237a and Westmoreland County, Virginia Deeds and Wills, pg. 272.

19. Westmoreland County, Virginia Order Book 1690-98, pg. 66.

20. John Frederick Dorman, Westmoreland County, Virginia Deeds & Wills No. 3, 1701-1707, pgs 249-250, pg. 66.

21. Ibid.

22. John Frederick Dorman, Westmoreland County, Virginia Deeds & Wills, No. 3, 1701-1707, pgs 402-403, pg. 98, 1967.

23. Northern Neck Grants Book 4, pg. 92.

24. Register of Overwharton Parish Stafford County, pg. 161.

25. Westmoreland County Deeds and Wills, Vol XIII, pgs. 154-156.

26. John Frederick Dorman, Westmoreland County, Virginia Deeds & Wills 15, pg. 37.

SOURCES FOR PETER SMITH HISTORY

ANDREA, SMITH PAPERS

WILLIAM AND MARY QUARTERLY

SLAUGHTERS HISTORY OF TRURO PARISH

ORANGE COUNTY N.C. WILL BOOK B

ORANGE COUNTY N.C. WILLS BY SHIELDS

NORTHAMPTON N.C. DEEDS PAGE 138 BY HOFMAN

REVOLUTIONARY WAR PENSION S21977

FAIRFAX COUNTY VIRGINIA DEED BOOK B

MISCELLANIOUS S.C. ARCHIVES VOLUME PP

WESTMORELAND COUNTY VIRGINIA DEED BOOK B

FAIRFAX COUNTY VIRGINIA WILL BOOK A PAGE 478

FAIRFAX COUNTY VIRGINIA WILLS AND INV. BY KING

WESTMORELAND COUNTY VIRGINIA WILLS BY FOTHERGILL

WESTMORELAND COUNTY VIRGINIA DEED AND WILL BOOK 3 1701-7

S.C. GENEALOGICAL SOCIETY LINAGE CHARTS VOLUME I NO, 36a AND VOLUME II NO. 154

OPAL LEA MORROW ROUTE #1 SARCOXIE MISSOURI 64862

ROBERT T. NAVE 1832 WEST AMIN HOUSTON TEXAS 77098

PHILLEDELPHIA CHURCH REGISTER PAULINE S.C. THE 1st 25 YEARS BY NOEL M. SMITH SR. 2007 BOLAND ST. COPPERAS COVE TEXAS 76522.

Peter Smith I
Generation 12

To address the question of who was the father of Peter Smith of Westmoreland County, Virginia (died 1741), the absence of a will or other documents stating the relationship makes it necessary to use other means to come to a logical conclusion that an earlier Peter Smith in the same area was the father.

In order to achieve this, I will present the research of Richard Pender Abell from his book Peter Smith of Westmoreland County Virginia (Died 1741) and some descendants. Mr. Abell's biography outlining his qualifications as a genealogical researcher is attached. In his research on Peter Smith I, Mr. Abell included the research of Mr. John Frederick Dorman who is well known as a researcher of Virginia genealogy.

Rather than sending you only the pages from Mr. Abell's book with underlined sections, I will list the pertinent facts from Mr. Dorman's thorough review of available records. A copy of the section from the book is included for your reference. Since the section is fully footnoted and has a bibliography I have not included copies of the referenced documents.

Page 3
The book, A Smith Family of the South, by Wilmer Lane Smith, states that the progenitor of this Smith family was Robert Smith of Westmoreland County.

Page 4
...the authors have done additional research and learned of research by others on this particular Smith family. ...several researchers think that this Peter Smith's father was another Peter Smith rather than Nicholas Smith...

The following is quoted from the correspondence of Mr. John Frederick Dorman dated December 27, 1999:

We are told that Nicholas Smith left land to his son Peter...The abstract [of the will] indicates that Nicholas divided a single tract among his three sons Nicholas, Peter and James but...no information about the disposition of any of this land...

Page 5
The surviving records of Westmoreland County are much more complete...He [Mr. Smith] would have found the deed recorded in Westmoreland County Deeds & Wills 13, pp. 154-155a...Peter Smith and Elender his wife...on 3 November (1756) sold to Robert Moore 41 acres...where on Nicholas Smith formerly lived. This is Nicholas' son Peter who was living some 15 years after your...Peter Smith died in 1741.

My own research [Mr. Dorman] ...shows that in 1769 Peter Smith, Sr. (III) conveyed to his son Peter 60 acres, part of landing formerly purchased of George Searles (Westmoreland Co., Deeds and Wills 15, p. 37)...22 Feb. 1692/3 the relinquishment of dower of Eliza., wife of George Searles, in about 60 acres to Peter Smith (Order Bk. 1690-98, p. 89). Given the absence of any

other record of a sale from Searles to Smith and the mention of 60 acres in both records, I find it hard to believe that the two records do not concern the same land.

If Peter Smith (II) was already a landowner in 1686, I do not see how he can be identical with Nicholas Smith's son Peter. Nicholas was still a minor orphan on 28 Aug. 1678 (Westmoreland Co. Order Bk. 1675/6, p. 131…

Page 6
…it would be reasonable to conclude two generations are involved and this is borne out by the reference to Peter Smith, Sr., on 29 July 1691 in proving George Lampkin's will (Order Bk. 1690-98, p. 31a) and the grant from the Proprietors of the Northern Neck on 10 Oct. 1692 to Peter Smith, Jr. (Northern Neck Grants, v. 1, pp. 190-91)…two Peters…placed in the same general area of Westmoreland County and it seems entirely reasonable to conclude that the elder Peter was the father of at least three children, Vincent, James and Peter who came of age in the early 1680s.

Sincerely yours,
Fred Dorman

32033

G7: The said Ann McClanahan is the child of
Thomas McClanahan II
Born on bet 1756 and 1758 At Fauquier Co., VA
Died on 18 Nov 1833w/d 6 Oct 1834w/p At Breckenridge Co., KY bur and his (1st) wife
Elizabeth "Eliza" Field
Born on 16 Jan 1758 At Culpeper Co., VA
Died on 7 May 1838 At Madison Co., KY bur Richmond
Married on 13 Mar 1786 At Lincoln Co, KY
Proofs: MR Lincoln Co. KY p197; will - Tyler's Quarterly Vol.XIII p123-124; tombstone photo; will for Eliza
~~See National Number 32033 Gale McDonnell Fuller~~
w/p 25 May 1838 - Elizabeth's

G8: The said Thomas McClanahan II is the child of
Thomas McClanahan I
Born on bet 1729 and 1732 At Westmoreland Co., VA
Died on Feb 1809 w/p At Bourbon Co., KY and his (1st) wife
Margaret Strother
Born on bet 1734 and 1737 At King George Co., VA
Died on 1824 At Bourbon Co., KY
Married on bet 1749-1750 At King George Co., VA
Proofs: will -Tyler's Quarterly Vol XIII p 117-123; "The Strother Family" by Edward Strother p. 27- 28
~~See National Number 32033 Gale McDonnell Fuller~~

G9: The said Thomas McClanahan I is the child of
William McClanahan
Born on bet 1685-1694 At prob. Westmoreland Co., VA
Died on ~~bef~~ 29 Oct 1771 w/p At Westmoreland Co., VA and his (1st) wife
Martha Smith
Born on At Westmoreland Co., VA
Died on aft 1771 At prob Westmoreland Co., VA
Married on bef 10 Jan 1738 At Westmoreland Co., VA
Proofs: Will of William McClanahan; will of Peter Smith naming dau Martha Wills of Westmoreland Co. VA 1654-1800 p 110; ~~See National Number 32033 Gale McDonnell Fuller~~

G10: The said Martha Smith is the child of
Peter Smith II
Born on At VA
Died on 10 Jan 1738w/d 28 Apr 1741w/p At Westmoreland Co., VA and his ( ) wife

Born on UKN At
Died on bef 10 Jan 1738 At Westmoreland Co., VA prob
Married on At Westmoreland Co., VA
Proofs: Will of Peter Smith naming dau Martha McClanaham; "Peter Smith of Westmoreland Co. VA & Some Descendants" by Richard Abell & Wilmer Smith p. 1-12; 17-18; 21-25

G11: The said Peter Smith II is the child of
Peter Smith I
Born on At England
Died on aft 29 Jul 1691 At Westmoreland Co., VA and his ( ) wife

Born on UKN At
Died on At VA
Married on At
Proofs: "Peter Smith of Westmoreland Co. VA & Some Descendants" by Richard Abell & Wilmer Smith p.1-12; 21-25

G12: The said is the child of

Born on At
Died on At and his ( ) wife

Born on At
Died on At
Married on At
Proofs:

Do not encroach on this margin, which is needed for binding.

G13: The said _____ is the child of

Born on _____ At _____
Died on _____ At _____ and his ( ) wife

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: _____

G14: The said _____ is the child of

Born on _____ At _____
Died on _____ At _____ and his ( ) wife

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: _____

G15: The said _____ is the child of

Born on _____ At _____
Died on _____ At _____ and his ( ) wife

Born on _____ At _____
Died on _____ At _____
Married on _____ At _____
Proofs: _____

Do not encroach on this margin, which is needed for binding.

CHILDREN OF THE ANCESTOR

Only list those by the wife noted on the last generation

Name of child	Date of Birth of Child	Name of Spouse
Peter Smith II		
Vincent Smith		
James Smith		

ANCESTOR'S SERVICE

Only one service is required; only one proof of service is required

Name of Service: landowner 15 Jul 1657 : VA, Westmoreland Co
Proof of Service: Cavaliers and Pioneers by Nell Marion Nugent Vol 1: 1623-1666 p 351
Source of Proof: Patent Book #4 p. 117 [174]

ACKNOWLEDGMENT

The applicant states that the said Peeter Smith is the ancestor whose lineage is outlined in this application and the statements herein set forth are true to the best of her knowledge. She also understands that the National Society Colonial Dames XVII Century does not guarantee that this lineage will be valid in the future as new research may change the validity of this lineage.

Signature of applicant: Gail McDonnell Feller

Peter Smith

♂ Abt 1678 - 1741 (~ 63 years)

Name	Peter Smith	
Born	Abt 1678	Westmoreland County, Virginia
Gender	Male	
Died	12 May 1741	Westmoreland County, Virginia - Probate
Person ID	I084839	Tree1
Last Modified	3 Aug 2018	

Father	Nicholas Smith, **b.** Abt 1658, Kent County, Maryland, **d.** 25 Feb 1730/31, Westmoreland County, Virginia - Probate (Age ~ 73 years)	
Mother	Anne Bailey, **b.** Abt 1662, Northumberland County, Virginia, **d.** Aft 1731, Westmoreland County, Virginia (Age ~ 70 years)	
Married	Abt 1678	Westmoreland County, Virginia
Family ID	F30955	Group Sheet | Family Chart

Family	Mary MNU Smith, **b.** Abt 1678, Westmoreland County, Virginia, **d.** Aft 1741, Westmoreland County, Virginia (Age ~ 64 years)	
Married	Abt 1694	Westmoreland County, Virginia
Children	1. Mary Smith, **b.** 1694, Westmoreland County, Virginia, **d.** Bef Nov 1744, Westmoreland County, Virginia (Age < 50 years) 2. William Smith, **b.** 1695, Westmoreland County, Virginia, **d.** 24 Sep 1751, Fairfax County, Virginia - Probate (Age 56 years) 3. Anne Smith, **b.** Abt 1696, Westmoreland County, Virginia, **d.** Sep 1719, Cople Parish, Westmoreland County, Virginia (Age ~ 23 years) 4. Thomas Smith, **b.** Abt 1706, Westmoreland County, Virginia, **d.** 12 Sep 1778, Manasses, Prince William County, Virginia (Age ~ 72 years) 5. John Smith, **b.** Abt 1708, Westmoreland County, Virginia, **d.** Bef 1741, Prince William County, Virginia (Age ~ 32 years) 6. Martha Smith, **b.** 1708, Westmoreland County, Virginia, **d.** Aft 1770, Cople Parish, Westmoreland County, Virginia (Age > 63 years) 7. James Smith, **b.** 1708, Westmoreland County, Virginia, **d.** 24 Sep 1751, Fairfax County, Virgina - Probate (Age 43 years) 8. Peter Smith, **b.** Abt 1710, Westmoreland County, Virginia, **d.** Aft 1740, Westmoreland County, Virginia (Age ~ 31 years) 9. Abigail Smith, **b.** Abt 1710, Westmoreland County, Virginia, **d.** Abt 1767, Westmoreland County, Virginia (Age ~ 57 years) 10. Hannah Smith, **b.** Abt 1714, Westmoreland County, Virginia	
Last Modified	3 Aug 2018	
Family ID	F07373	Group Sheet | Family Chart

Notes

- ===
  Wills of Westmoreland County, Virginia , Page 110
  SMITH, PETER, 10 Jan. 1738; 12 May 1741. 48 acres to my dau. Mary Fleming; son Peter land in Westmoreland; son James the land in Prince William on Bull Run where he now lives which is 325 acres; sons Thomas and William land in Prince William which is 325 acres; dau. Abigail Fleming land in Prince William; granddau. Anne Bailey land in Prince William; heirs of dau. Anne Thomas one shilling; dau. Mary Fleming one shilling; dau. Hannah Ware 1 shilling; dau. Martha McClanahan 1 feather bed; son Peter exr; heirs of son John Smith 1 shilling.
  ===
  WESTMORELAND COUNTY DEEDS & WILLS. 1740-1742: Pg 140-141
  IN THE NAME OF GOD, Amen. the tenth day of January 1738, I PETER SMITH of County of Westmoreland in Virginia being in health and perfect mind and memory thanks be given unto God therefore, calling to mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my Last Will and Testament, that is to say, principally and first of all I give and recommend my Soul into the hands of God that gave it and my body I recommend to the Earth to be buryed in a decent Christian buryal at the discretion of my Executor, nothing doubting but at the general resurrection I shall receive the same again by the mighty power of God. And as touching such worldly Estate wherewith it hath pleased
  God to bless me in this life, I give demise and dispose of the same in the following manner and form.
  Imprimis I give and bequeath to my Daughter, MARY FLEMING, Forty eight acres of land where she now lives according to the courses of a Survey that BARBER made, beginin g at a corner tree of WHETOTONs Land to her and her heirs for ever;
  Item. I give to my Son, PETER SMITH, the remaining part of all the Land that I possess in Westmoreland County to him and his heirs for ever;
  Item. I give to my Son, JAMES SMITH, three hundred and twenty acres of land in PRINCE WILLIAM County lying and being upon BULL RUN where he now lives to him and his heirs for ever;
  Item. I give and bequeath to my Son. THOMAS SMITH, three hundred and twenty five acres of land in the aforesaid County where he now lives to him and his heirs for ever; Item. I give to my Son, WILLIAM SMITH, three hundred and twenty five acres of land in the aforesaid County to his likeing out of the remaining part of the same tract of land to him and his heirs for ever;
  Item. I give to my Daughter. ABIGAIL FLEMING and my Grand Daughter, ANNE BAILEY the remaining part of that tract of land in PRINCE WILLIAM County aforesaid, my Daughter. ABIGAIL, having the first choice, to them and their heirs for ever;
  And as for what moveable Estate it hath pleased God to bestow upon me I give and bequeath as followeth,
  Item. I give and bequeath to the heirs of my Son, JOHN SMITH, one Shilling Sterling money:
  Item. I give to my Son, JAMES SMITH, one Shilling Sterling money;
  Item. I give to my Son, THOMAS SMITH, one Shilling Sterling money;
  Item. I give to my Son, WILLIAM SMITH, one Shilling Sterling money;
  Item I give to the heirs of my Daughter, ANNE THOMAS, one Shilling Sterling money; Item. I give to my Daughter MARY FLEMING, one Shilling Sterling money
  Item. I give to my Daughter, HANNAH WARE, one Shillings Sterling money:
  Item. I give to my Daughter, MARTHA McCLANAHAM, a feather bed at the discretion
  of my Executor hereafter named;
  Item. I give to my Daughter, ABIGAIL FLEMING, one Shilling Sterling money;
  Item. And the rest of my moveable Estate not already bequeathed, I give and bequeath to my Son, PETER SMITH, whom I likewise constitute make and ordain my whole and sole Executor of this my Last Will and Testament; And I do hereby utterly disallow revoke and dissannull all and every other former Testaments, Wills, Legacies and Bequests and Executors by me in any ways before named willed and bequeathed, ratifying and confirming this and no other to be my Last Will and Testament; In Witness whereof I have hreunto set my hand and seal the day and year above written
  Signed Sealed Published Pronounced and Declared by
  PETER SMITH as his Last Will and Testament in the
  presence of us witnesses JAMES WALKER, PETER SMITH
  STEPHEN BAILEY, JUNR, HUGH THOMAS
  Westmoreland ss. At a Court held for the said County the 28th day of April 1741 This Last Will and Testament of PETER SMITH, deceased, being presented into Court by PETER SMITH, his Son and Executor, who made Oath thereto and being proved by the Oaths of all the witnesses thereto is admitted to Record; And upon the motion of the said Executor and his performing what is usual in such cases, Certificate is granted him for obtaining a Probate thereof in due form Recorded the Twelfth day of May 1741
  ===
  WESTMORELAND COUNTY ORDER BOOK, 1718-1721; pg 13
  Westmoreland County Court 30th day of July 1718.

The last Will and Testament of HUGH THOMAS, deed. was presented into Court by ANN THOMAS his Exorx. who made oath thereto and proved by the oath of PETER SMITH one of the witnesses thereto to admitt to record and upon mocon of the said ANN and her performing what is usual in such cases Certificate is granted her for obtaining a Probate thereof in due form and It is ordered that WILLIAM RUST, WILLIAM TEYNEY, CHARNOCK COX &WILLIAM GARLAND or any three of them being first sworn before one of his Majesties Justices for the Peace do some time before the next Court to be held for the County aforesaid value and appraise the said TestatorsEstate in money and make report thereof to the said Court.
===
1723 Stafford County, Virginia rent rolls by James Carter 18 July 1724; 1160 acres Peter Smith; lives in Westmoreland Co.
===
=== Page 92 Wills of Westmoreland Co., VA
SMITH, NICHOLAS, 23 July 1728; 25 Feb. 1730.
Lands between Nicholas, Peter and James the sons of the said Nicholas Smith; son John 1 shilling; 1/2 of my estate to be equally divided between my three sons and three daus.
===
WESTMORELAND COUNTY, VIRGINIA DEEDS & WILLS. No. 8. Part 1
1723-1738; pages 55-56
TO ALL CHRISTIAN PEOPLE to whom these presents shall come, JOHN BROGUES of Cople Parish in Westmoreld. County, Planter, and HANNAH his Wife, right heir at Law of JAMES SMITH, formerly of the abovesd County, deced . sendeth Greeting in our Lord God everlasting, KNOW YE that we JOHN BROGUES and HANNAH his Wife for & in consideracon of the natural love & affeccon which we have bear unto our Grandson, OWEN BRINNON, being Son of OWEN BRINNON & ANNE his Wife, & for
divers other consideracons we hereunto especially moving, by these presents doe give and confirm unto said OWEN BRINNON his heirs all that parcel & plantacon of Land lying in Parish & County aforesd. in the FORREST of NOMINY and is bounded: Begining as by a Deed from WILLIAM WEBB to the abovesd. JAMES SMITH, deced., on the County Record may appear. at a Chestnutt tree on the North side of the land upon the side of a Branch, thence across the land by a line of marked trees and ending at a red Oak which division was agreed by the said WEBB & SMITH and is the land whereon PETER SMITH, SENR, now lives, and was sold to said JAMES SMITH by the said WEBB for one hundred acres of land be the same more or less with all houses orchards profits & appurtenances belonging; To have and to hold the hundred acres of land with every of their appurtenances unto OWEN BRINNON his heris, to be holden to the Cheif Lord or Lords of the fee of the premisses by the rents & services for the same due & of right accusomed to be paid and JOHN BROGUES and HANNAH his Wife do promise OWEN BRINNON his heirs that at all times after the land shall remain free & clear from all incumbrances suffered by JOHN BROGUES and HANNAH his Wife; In Witness whereof we have hereunto sett our hands & affixed our seals this thirtieth day of March in the twelfth year of the reign of our Soveraign Lord King George over Great Britain and in the year of our Lord God one thousand seven hundred & twenty six, Sealed & delivered in presence of
Y, WATKINS, JOHN BROGUES
JNO: POINDEXTER HANNAH BROGUES
Westmoreland ss, At a Court held for the sd. County the 30th day of March 1726
JOHN BROGUES & HANNAH his Wife (she being first privately examined according to Law) personally acknowledged this Deed of Guift of land by them passed to OWIN BRINNON, Son of OWEN BRINNON, to be their proper act and deed, which at their isntance is admitted to Record Test THO: SORRELL, Cl Recordat Sexto die Aprilis 1726
===
WESTMORELAND COUNTY DEEDS & WILLS. 1740-1742: Pg 111-113
THIS INDENTURE made this Eighth day of May in the fourteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord one thousand seven hundred and fourty, Between SAMUEL MOORE and JANE his Wife andJOHN MARMADUKE and WENEFRED his Wife of Cople Parish and Westmoreland County of one part and JAMES BAILEY of the same Parish and County of other part; Wit- nesseth that SAMUEL MOOR and JOHN MARMADUKE in consideration of the sum of One thousand pounds of lawful tobacco to them in hand paid by JAMES BAILEY, the Receipt whereof SAMUEL MOOR and JOHN MARMADUKE doth hereby acknowledge themselves therewith satisfied; hath and by these presents cloth bargain and sell all that parcel of land containing Fifty acres be the same more or less lying in Parish and County aforesaid, being part of One hundred and fifty acres of land which NICHOLAS SMITH, deceased, left to he divided between his three Sons, NICHOLAS, PETER and JAMES, and NICHOLAS SMITH, Son of NICHOLAS SMITH deceased, sold his part of the land to JOHN LAMKIN by a Deed of Feoffment bearing date the fourth day of September in the year of our Lord one thousand seven hundred and thirty three, and after the decease of JOHN LAMKIN the land fell to his two Daughters. WINEFRED and JANE LAMKIN, who are since intermarried to JOHN MARMADUKE and SAMUEL MOOR, with all houses orchards profts and appurtenances to the same belonging. To have and to hold the Fifty acres of land and premises with appurtenances unto JAMES BAILEY his heirs; And SAMUEL MOOR and JOHN MARMADUKE for themselves their heirs &c. the premises unto JAMES BAILEY and his heirs against the claim of any person shall warrant and forever defend by these presents: In Witness whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written
Signed Sealed and Delivered in presence of
THOMAS MOOR, SAMUEL MOOR -----,
WILLIAM GROVE JANE her mark MOOR
JOHN MARMADUKE
WENEFRED MARMADUKE
Memorandum, That on the Eight day of May in the year of our Lord God one thousand seven hundred and fourty, SAML. MOORE and JOHN MARMADUKE made livery and seizen of the lands and appurtenances within mentioned by delivering Turff and Twigg and the Ring of the Door in the name of the whole land and appurtenances within sold according to the form and effect of the Deed. in presence of us
THOMAS MOOR, WILLIAM GROVE
Received of JAMES BAILEY the sum of One thousand pounds of lawful tobacco in full payment for the consideration within mentioned, Witness our hands this Eight day of May Anna Dom: 1740 JOHN MARMADUKE SAMUEL his mark MOOR
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 JOHN MARMADUKE and WINIFRED his Wife and SAML. MOORE and JANE his Wife came into Court and the femes being first privately examined according to Law, they all personally acknowledged this Deed of Feoffment for land by them passed sold and conveyed unto JAMES BAILEY together with Livery of Seizen thereon endorsed to be their proper act and deed, and the said JOHN and SAMUEL also acknowledged the Receipt for the consideration endorsed on the said Deed, also to be their proper act and deed, all which at the instance of the said BAILEY are admitted to Record
Recorded the Fourth day of September 1740
Teste GEORGE TURBERVILLE, C. W. C.
KNOW ALL MEN by these presents that we SAMUEL MOOR and JOHN MARMADUKE of Cople Parish and Westmoreland County do owe and stand justly indebted unto JAMES BAILEY of said Parish and County in the penal sum of Two thousand pounds of lawfull tobacco: to the which payment well and truly to be paid we bind our selves our heirs firmly by these presents, Sealed with our seals and dated the Eighth day of May in the fourteenth year of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland. King, Defender of the faith Annoq: Domini 1740
THE CONDITION of the above obligation is such that if the above bound SAMUEL MOOR and JOHN MARMADUKE their heirs do well and truly observe and keep all the Covenants which on their parts ought to be oberved and kept mentioned in an Indenture of Bargain and Sale made between SAMUEL MOOR and JOHN MARMADUKE of one part and JAMES BAILEY of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of none effect, otherwise to stand remain and be in full force power strength and virtue
Signed Sealed & delivered in presence of
THOMAS MOOR, SAML: MOOR
WILLIAM GROVE JOHN MARMADUKE
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 This Bond for performance of Covenants from JOHN MARMADUKE and SAMUEL MOOR to JAMES BAILEY was personally acknowledged in open Court by the said MARMADUKE and MOOR, and at the said BAILEYs instance admitted to Record
Recorded the Fourth day of September 1740
Test GEORGE TURBERVILLE, C. W. C
===
Prince William County, Virginia Deeds {Antient Press}: Liber I; 1745 - 1746; pp 40-45
THIS INDENTURE made the twentininth and thirtieth day of December in the eighteenth yare of our Sovereign Lord GEORGE the second and in the yeare of our Lord one thousand seven hundred fourty & five six Between BENJAMAN WICKLIFF of the Parish of Dettingan in the County of Prince William of one part and ROBT, WICKLIFF of the Parrish & County aforesaid of other part Witnesseth that the said BENJAMAN WICKLIFF for the sum of One hundred and fifty pounds current money of Virginia have sold unto the said ROBERT WICKLIFF and his heirs forever and the said ROBERT WICKLIFF being in actual! possession of all the premises herein after mentioned & expressed by virtue of a Lease thereof made for one whole year and of the statute for transferring uses into possession a certain tract of land being in the Counties of Prince William and FAIRFAX being a PATTENT of land given and granted unto Mr. WANSFORD ARRINGTON by Deed from the PROPRIATORS OFFICE bearing date the (Lease) seventh day (Release) seventeeth day of December one

thousand seven hundred and sixteen and is bounded beginning at a marked redd Oake standing on the upper side of BULL RUN on the upper side of a Branch called the ROCKY CAVE BRANCH neare opposite to the upper end of a tract of land formerly surveyed for PETER SMITH of WESTMORELAND COUNTY & extending thence North West to a Spanish Oake standing on a hill side thence North East to a Hicory standing on the said BULL RUN side on the upper side of the mouth of a small Branch thence Crossing the said Runn North East to a white Oake standing neare the head of a small Branch falling into POPES HEAD RUN thence South East to a black Oake thence South West to a corner marked white Oake standing in the said PETER SMITH line near a small black Oake saplin standing on a Ridge being corner tree to the said SMITHs land thence along the said SMITHs line West to said SMITH beginning Beach standing on the said BULL RUN side in a small Gully thence down the said Run according to the several corses and meanders thereof to the beginning redd Oake together with all houses and appurtenances to the land belon ging To Have and To Hold the said parcell of land containing Three hundred & thirty four accers unto him the said ROBERT WICKLIFF his heirs or assigns forever, In Witness whereof the sd BENJAMAN WICKLIFF have to these presents sett his hands & Seal
in presents of THOS. WHITLEDGE, BENJN, WICKLIFF
ROBT, WICLLIFF JUNR,, JAMES BLAND JUNER
JOSEPH HUTHESON, ANN HUTHESON
Att a Court held for the County of Prince William the 24th day of March 1745 BENJAMIN WICKLIFF acknowledged this Lease Release and Receipt to ROBERT WICKLIFF to be his acts and deeds which are admitted to record
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=192&last=&g_p=G1&co llection=NN Grant
Title Smith, Peter, Jr.
Publication 10 October 1692.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 70 acres beg.g &c. nigh a valley which descends into a branch of Nomony River, by a path which leades to Mr. Hulls quarter.
Source: Northern Neck Grants No. 1, 1690-1692, p. 190-191 (Reel 288).
Recorded survey available. Northern Neck Grants No. 1, 1690-1692, p. 192 (Reel 288).
====
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=252&last=&g_p=G2&co llection=NN Grant
Title Bayley, John.
Publication 1 September 1696.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 203 acres along a swamp, adjoining Robert Midleton, Peter Smith.
Source: Northern Neck Grants No. 2, 1694-1700, p. 252 (Reel 288).
===
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=92&last=&g_p=G4&col lection=NN Grant
Title Smith, Peter.
Publication 30 June 1712.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Stafford County.
Description: 1160 on the north side of the Little or Lower North Run of Occquan River.
Source: Northern Neck Grants No. 4, 1710-1712 , p. 92 (Reel 289).
===
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=206&last=&g_p=P10&c ollection=LO Patent
Title Hunt, John.
Publication 16 December 1714.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Fairfax County.
Description: 182 acres of land and sunken ground. Near the head of the southern branch beg.g &c. a corner tree of Peter Smiths patent.
Source: Land Office Patents No. 10, 1710-1719, p. 206 (Reel 10).
===

URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=460&last=&g_p=P31&c ollection=LO Patent
Title Smith, Henry.
Publication 26 June 1755.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Related See also the following surname(s): Smyth.
Note Location: Fairfax County.
Description: 184 3/4 acres adjoining the lands of Peter Smith, Woodward James Wilson and Peter Cartwright.
Source: Land Office Patents No. 31, 1751-1756 (v.1 & 2 p.1-751), p. 460 (Reel 29).
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=252&last=&g_p=G2&co llection=NN Grant
Title Bayley, John.
Publication 1 September 1696.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 203 acres along a swamp, adjoining Robert Midleton, Peter Smith.
Source: Northern Neck Grants No. 2, 1694-1700, p. 252 (Reel 288).

next above Thomas Tilsey, and bounded W. upon land of Capt. Marshall. Trans. of 9 pers: John Bowles, Wm. Berrick, Dorothy Sternes, Martha Young, John Chaplin, Wm. Butler, Mary Smith.

EDWARD GRIMES, 150 acs., a neck of land called Quiocomack lyeing at the head of Corytomon Riv. in Rappahanock, & lyeing S. E. upon sd. river mouth. 23 Mar. 1650, p. 308. Trans. of 3 pers: Thomas Atwell, his first wife, Susan Skery.

SAME. 80 acs., being a neck of land, lyeing in Curytomon Riv., S. E. from Indian Spring to Narrow Neck Creekes mouth. 23 Mar. 1650, p. 308. Trans. of 2 pers: Robert Ellyott, Dan. Doller.

THOMAS BREEMAN, 500 acs. lyeing on the S. side of a run which falls into Crany Cr. in Ware Riv. in Mockjack Bay. 23 Mar. 1650, p. 308. Due by purchase from Richard Kemp, Esqr., dec'd. & alsoe for trans. of 10 pers.* "The rights wch. belong to this patent is in the old Booke in folio 236." (This book is not believed to be extant.)

RICHARD DYER, 1,050 acs. about 5 mi. up Pamunkee Riv., 23 Mar. 1650, p. 309. From the bounds of Mr. Francis Floods land upon Broughtons Cr., extending along marked trees of Mr. Broach, etc. Granted unto Thomas Broughton by patent dated 18 Apr. 1648 & by him assigned to Arthur Price, who assigned to sd. Dyer.

ROBERT ABRALL, 300 acs. Yorke Co., 3 Apr. 1651, p. 309. Upon Wwd. side of Mattapony Riv., S. W. upon a branch issueing from sd. riv. which divides this & land of Capt. John West, Esqr. Trans. of 6 pers: Richard Riser, Richd. Smith, Thomas Gordiane, Wm. Fish, Joane Everett, Math. Cripps.

ROBERT ABRALL, 200 acs. Yorke Co., 3 Apr. 1651, p. 309. Upon S. side of Charles Riv., N. W. & N. E. upon the head of a cr. dividing this & the late land of Mr. John Broach. Trans. of 4 pers: Ann More, Eliza. Hayes, Joseph Woodrow, Thomas Minnes.

SAME. 900 acs. Yorke Co., 3 Apr. 1651, p. 310. Upon S. side of Chas. Riv., abutting N. & N. E. upon the Mountaynes, E. & S. E. upon land of Mr. Mannaring Hamond & N. W. upon the main swamp of Black Cr. Trans. of 18 pers: John Steevens, John Johnson, Thomas Drone (or Drove), William Horne, Eliza. Richards, Elizabeth Walters, Robt. Breight, Thomas Weekes, Richard Bell, James Williams, Henry Walker, Joseph Grigory, Ann Steevens, Robt. Adkinson.

WILLIAM GINSEY (GUINSEY), 300 acs. Yorke Co., 3 Apr. 1651, p. 310. Upon Swd. side of Mattapony Riv., which tract is about 10 mi. up the river. Trans. of 6 pers: Wm. Guinsey, Geo. Talker, Thomas Anderson, Ben. Dudley.

ROBERT SORRELL, 800 acs. James City Co., 10 Apr. 1651, p. 310. Being an island within Warrany Cr., bounded S. by E. towards land of Edward Cole, N. towards Joyners Neck, S. towards the mouth of sd. creek & E. towards the land of Mr. Bennett Freeman. Trans. of 2 pers.* "Vid County Court Booke."

THOMAS THORNBROUJH, 700 acs. Northumberland Co., 25 Mar. 1651, p. 311. Abutting Sly. upon a branch issueing out of Nomeny Riv., Ely. upon a small br. of sd. Riv. towards the land of James Hare. Trans. of 14 pers: William Clayton, Richd. Knott, Geo. Heigham, Wm. Knight, Danll. Preddery, Daniell Moore, Ralph Mooreton, Elizabeth Brewer, Jane Davis, Barton Reigner, Ailce Sadler, Maurice Baker, Peter Smith, Mary Blyth.

THOMAS WATTS, Junr., 200 acs. Northumberland Co., 1 Apr. 1651, p. 311. Abutting Sly. upon the land of Thomas Kedby, & Wly. upon a cr. issueing out of great Wicocomico Riv. Trans. of 4 pers: Susan Watts, Eliza. Watts, Margarett Sproud, Senr. (or Sprond), Margarett Sproud, Junr.

WILLIAM HAMPTON, 700 acs. lyeing on the E. side of the Eastermost river in Mockjack Bay, beg. on the S. side of a creeke. 25 Mar. 1651, p. 311. Trans. of 14 pers: Thomas Smith, Richard Cary, Hugh Bromly, Wm. Boreman, Jeremy Edes, Philad. Hampton, John Ash, John Longford, Wm. Yateman, Wm. Davis, Symon Vaughan, Wm. Boreman, John Wattkins, Ailce Walker.

HENRY SINGLETON, 320 acs. on the E. side of the Eastermost Riv. in Mockjack Bay, beg. at Mr. Hampton's land. No. date. Page 312. Trans. of 6 pers: John Hilliard, Marke Nethrock, Thomas Newman, Susanna his wife, Anne Newman, Susan Newman.

RICHARD WALKER, 200 acs. Northumberland Co., 6 May 1651, p. 312. Abutting Nly. upon a br. of Mattapony Riv., Sly. upon a br. of sd. river which divides this from the land of Jane Parry, Widdow. Trans. of 4 pers: Richard White, Mary White, Joseph White, John White.

WILLIAM RENNOLDS, 650 acs. Northumberland Co., 6 May 1651, p. 312. Abutting Ely. upon Potomeck Riv., & Sly. upon land of Phillip Silvester. Trans. of 13 pers: Wm. Rennolds, Ann Rennolds, Wm. Jones, James Harry, Thomas Williams, William Robert, Ann Mason, Robt. Harrison, Richard Evans, Thomas Steed, Jone Smith, Ann Palmer, Henry Thucker (or Thacker.)

CAPT. JOHN WEST, Esqr., 1550 acs. Yorke Co., 6 May 1651, p. 313. Lyeing about 6 mi. up Yorke Riv. up the fort (or fork) on the S. side of the river, bounded W. upon Mattadequain Cr., E. S. E. upon black cr. & S. W. upon the Mts. Trans. of 31 pers: Capt. John West, Esqr., 4 tymes, Mrs. Anne West, twice, John West, Junr., Cheny, a maide Servant, Joseph Gardner, Francis ——, 5 Negroes; Eliza. Coope, Richard Taylor, Joane Royly, John Royly, Ailce ——, Edward ——, Henry Millett, Wm. Parnell, Jno. Haninge (or Haninye,) Law. Triggs, Heebert Millen, Xtopr. Alwine, "one that dyed at Sea," Elinor Adkins Francis Millet.

RICHARD COLEMAN, 320 acs. upon the N. side of Rappa. Riv., beg. upon the side of a marsh near land of William Nusum, & running parallel with the river to a cr. that divides this from land now in possession of Rice Jones, etc. 6 May 1651, p. 313. Trans. of 7 pers: Thomas Hansworth, John Smith, William Thomas, Thomas John, John Chapman, Wm. Goodman, Andrew Carelesse.

CAPT. STEPHEN GILL, 900 Acs. Northumberland Co., 6 May 1651, p. 314. Upon the Nwd. part of Fleets Bay, abutting N. N. E. upon Gills Cr., N. W. upon the head branch of sd. Cr. dividing this from land of Lewis Burwell. Due for trans. of 9 *pers*: John Davis, Jno. Williams, Henry Hackett, Davy Perkins, Adam Thornton, Wm. Roberts, Thomas Hart, Grace Davis, James Hall, Alex. Smith, Tho. Brooke, Richd. Sewell, Robert Chapman, Edward Walden, Tho. Graves, Thomas Symson, Peter Richardson, Elyas Vincent.

WILLIAM TAYLOR, 600 acs. Northamton Co., 21 May 1651, p. 314. Being a neck of land scituate at Occahaincock Cr., bounded on N. W. part with a branch called the Lesser Otterdams, & on S. W. with a branch called the great Otterdams. Trans. of 12 pers: Mathew Stone, John Stringer, Mary Feild, Maugeby Huges, John Pratt, Thom. Meller, Richd. Partigg, Wm. Wilton, George Hardest, Mary Leeke, Robert Kinver (or Skinner), Edward Holt. Renewed 20 Oct. 1661.

COLL. RICHARD LEE, Esqr., Secretary of State, 550 acs. on N. side of Yorke Riv., 350 acs. thereof bounded towards the head and S. E. side of a cr. which is the Wwd. bounds of another tract of land of sd. Lee. 200 acs. standing on the Wwd. side of a branch of Bennetts Cr. 21 May 1651, p. 314. Trans. of 11 pers.*

CAVALIERS AND PIONEERS

Abstracts of
Virginia Land Patents and Grants
1623-1800

IN FIVE VOLUMES

Abstracted and Indexed by
NELL MARION NUGENT
VIRGINIA LAND OFFICE
RICHMOND, VA.

Introduction by
ROBERT ARMISTEAD STEWART, PH.D.

Patroness
AGNES BERNADINE SITTERDING

VOLUME ONE

RICHMOND, VA.:
PRESS OF THE DIETZ PRINTING CO.
1934

MR. HUGH LEE, 1100 acs. in Petomeck freshes above Puscatoway, on the Wwd. side of the river, bounding Sly. upon Mr. Claies land, Nly. along the river & parallel to Mr. Cley. 15 July 1657, p. 114, (170). Trans. of 22 persons: Jonathan Marrow, Mary Marrow, Dorithy Marrow, Wm. Browne, Wm. Hanniver, Geo. Wilson, Hannah Lee, Mr. David Linsey, Anne Murrall, Joshua Esto, Anne Moore, Junr., Anne Moore, Senr., Dan Lile, Jno. Carr, Eliz. Parry, Mary Harris, Eliz. Hardinge, Mary Barkinton, Anne Murrall, Joshua Estoe, Wm. May, Rob. Smart.

EDWARD WILLIAMS, 500 acs. Ely. upon Petomeck freshes above Puscatoway, Sly. upon land of Robert Bradshew & James Cloughton. 15 July 1657, p. 115, (171). Trans. of 10 pers:

WILLIAM DAVIS, 500 acs. Ely. upon Petomeck Riv. in the freshes above Puscatoway & Sly. upon land called William Butler's. 15 July 1657, p. 115, (171). Trans. of 10 pers: Hen: Thornton, James May, James Jolly, Rob. Brooke, James Battin, John Covell, Edd. Mason, Sil. Baker, Edd. Snape, Mathew Shorte.

JOHN WOOD, 300 acs. Nly. upon Yosococomoco Cr. in Petomeck freshes & adj. his own land. 15 July 1657, p. 115, (171). Trans. of 6 pers: Grace Harrison, Geo. Burton, James Davis, Nich. Coaleman, Hen. Rouse, Mary (or Marg.) Linton.

JOHN RAVEN, 500 acs. on Wwd. side of Petomeck Riv. above Puscatoway., Ely. upon sd. river, Sly. upon land called Mr. Wm. Preslyes. 15 July 1657, p. 115, (172). Trans. of 10 pers: Lancelott Heines, Peeter Greene, Patrick Davison, Eliz. Norton, Prudence Neale, Diana Johnson, Margaret Bell, Jane Denny, Paule Hinson, Roger Andrews.

MR. WILLIAM PRESLY, 1000 acs. in Petomeck freshes about 3 mi. above land called Mr. Robert Clerke's land, Ely. upon sd. river, Sly. upon land of Mr. Francis Grey & John Lancelott. 15 July 1657, p. 116, (172). Trans. of 20 pers: Roger Bell, James Arden, Ro. Rodes, Tim. Lawrence, Bernard Nash, Jno. Varnell, Edd. Cooper, Law. Seines, Dan. Armstronge, Hugh Davis, Tho. Madrin, Nich. Peake, Rand. Jackson, Tho. Beale, Peeter Hughes, Mary James, Martha Hiller, Judith Chroshaw, Wm. Batty, Corl. May.

ROBERT CASTLETON, 1000 acs. in Petomeck freshes on the N. side of a creek below Puscatoway but on opposite side of sd. river & S. Wly. on Hopkins Cr. & N. Ely. towards land surveyed for Mr. Henry Vincent. 15 July 1657, p. 116, (172). Trans. of 20 pers: Wm. Gill, Richd. Heath, Eliz. Arnold, Rob. Stone, Jane Hunt, Avis Browne, Ales Tiller, Geo. Ray, Fra. Coney, Anth. Barwick, Walter Pratt, Jasper Grey, Arth. Newcombe, Tho. Farrington, Prudence Greene, Wm. Corey, James Slaner, Isabell Meldron, Jane Mountford, Willm. Holeman.

JOHN WOOD, 300 acs. NEly. upon Yosococomocoe Cr. in Petomeck freshes, N. Wly. upon land by him called John Tingies. 15 July 1657, p. 116, (173). Trans. of 6 pers: Mary Jones, James Coxe, Edwd. Burly, Richd. Atkins, Richd. Alcock, Mich. Waller.

JOHN WOOD, 500 acs. Westmoreland Co., 15 July 1657, p. 116, (173). Upon the head of Robert Yeo's land. Trans. of 10 pers: Walter Bird, Wm. Lacy, Wm. Lee, Jeremy Lawes, James Lewis, Rob. Haines, John Fryer, Ellinr. Read, Joane Sands, Jane Williams.

JOHN HAYLES, 100 acs. N. Ely. upon Petomeck Riv. in the freshes above Anacosta Iland, S. Ely. upon Vincent Cockes land belonging to John Wood. 15 July 1657, p. 117, (174). Trans. of 2 pers: Tho. Fourty, James Wilkinson.

PEETER SMITH, 500 acs. in Petomeck freshes, N. Ely. upon a creek above Col. Speakes land & S. Ely. upon land called Gosnells land. 15 July 1657, p. 117, (174). Trans. of 10 pers: Rob. Clerke, Rob. Holmes, Math. Wardle, Anne Hamond, Tho. Dorwood, Anne Forty, John Ayres, Francis Ayres, Richd. Hardman, Tho. Webster.

CAVALIERS AND PIONEERS

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1623 - 1666

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NELL MARION NUGENT
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Introduction by
ROBERT ARMISTEAD STEWART, PH.D.

Patroness
AGNES BERNADINE SITTERDING

VOLUME ONE

John Hayles
100 Acres
E.d

To all &c Whereas &c Now Know ye That I the said Samuel Mathews Esq. &c give and grant unto John Hayles One Hundred Acres of land Bounding North Easterly upon Potomack River in the Freshes Above Annaquia Island South Easterly upon 500 Acres of land next above the Land called Vincent Cockes Land belonging to John Wood, South Westerly and North Westerly upon the main Woods. The said Land being due unto the said John Hayles by and for the Transportation of two persons &c Dated the 15.th of July 1657.

Peter Smith
500 Acres
E.d

To all &c Whereas &c Now Know ye That I the said Samuel Mathews Esq. &c give and grant unto Peter Smith Five Hundred Acres of Land in Potomack Freshes, Bounding North Easterly upon a Creek above Col.o Speakes Land — South Easterly upon the Land Called Gosnolds Land Running North Westerly 166 2/3 poles and South Westerly 480 poles into the Woods. The said Land being due unto the said Peter Smith by and for the Transportation of Ten Persons &c Dated the 15.th of July 1657.

Richard Youelle
500 Acres
This Patent renewed and granted to the said Richard Youelle the first of April 1662. by Col.o Fra. Mayoow Esq. — Governor &c.
Test.
Fra. Fleetwood
E.d

To all &c Whereas &c Now Know ye That I the said Samuel Mathews Esq. &c give and grant unto — Richard Youelle Orphan Son of Mr. Thomas Youelle Dec.d Of Nomini Five hundred Acres of Land. Bounding Easterly upon Potomack River in the Freshes, Southerly Upon the Land called Richard Holdens Land and Running along the River Northerly 250 poles from Holden &c Westerly Parallel to Holden 320 poles into the Woods. The said Land being due unto the said Rich.d Youelle, by and for the Transportation of Ten Persons &c Dated the 18.th day of July 1657.

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URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=174&last=&g_p=P4&collection=LO Patent

Title	**Smith, Peter.**
Publication	15 July 1657.
Other Format	Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Related	See also the following surname(s): Smyth.
Note	Location: County location not given. Description: 500 acres in Petomack freshes: bound.g N:Eastly upon a Creek above Colo. Speakes Land; S:East.ly upon the Land called Gosnells Land. Source: Land Office Patents No. 4, 1655-1664, p. 174 (Reel 4). Part of the index to the recorded copies of patents for land issued by the Secretary of the Colony serving as the colonial Land Office. The collection is housed in the Archives at the Library of Virginia.
Subject - Personal	**Smith, Peter**. grantee.
Subject - Topical	Land titles. -- Registration and transfer -- Virginia
Subject -Geographic	Virginia -- History -- 17th century.
Genre/Form	Land grants -- Virginia.
Added Entry	Virginia. Colonial Land Office. Patents, 1623-1774. Library of Virginia. Archives.
System Number	000823511

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Peter Smith
200 Acres

To all &c Whereas &c now Know ye That I the said Sr William Berkeley Knight Governor &c give and grant unto Peter Smith Two hundred Acres of Land in the County of Lower Norfolk being in a branch of the Western branch of Elizabeth River. Beginning on the East side of the head of a Creek called Sayes Creek at a marked Hickory standing by Edmond Bowmans marked trees and running for breadth along the Creek side East North East one hundred Poles to a marked red oak standing on a point at the mouth of a branch called the Reedy branch and so along the branch side South South East into the Woods three hundred and twenty Poles to a marked red oak, and thence West South West into the Swamp and through the swamp to Mr Bowmans marked trees, and so down the said trees three hundred and twenty Poles to the first Station. The said Land being due unto the said Smith by and for the transportation of four Persons &c To have and To have and To hold &c To be held &c Yielding and paying &c provided &c Dated the Ninth of December One thousand six hundred and sixty five.

Robt Abanathe
100 Acres

To all &c Whereas &c now Know ye That I the said Sr William Berkeley Knight Governor &c give and grant unto Robert Abanathe one hundred Acres of Land in the County of Charles City and on the South side of James River, and on the head of the Poplar neck where it boundeth, on the Land of James Wallis, South on the Land of Thomas Duglas, and the Quarter Land and West into the Woods and South South West on the head with marked trees. The said Land being part of a Patent ~~that was~~ greater, granted to Patrick Jackson and Richard Barker and by the said Jackson out of his part sold unto the said Abanathe. To have and To hold &c To be held &c Yielding and Paying &c provided &c Dated the Seventh of March One thousand six hundred and sixty five.

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URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=567&last=&g_p=P5&collection=LO Patent

Title	**Smith, Peter.**
Publication	9 December 1665.
Other Format	Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Related	See also the following surname(s): Smyth.
Note	Location: Lower Norfolk County. Description: 200 acres in a branch of the Western branch of Elizabeth River, Beg.9 on the East side of the head of a creek called Loyds Creek. Source: Land Office Patents No. 5, 1661-1666 (v.1 & 2 p.1-369), p. 567 (Reel 5). Part of the index to the recorded copies of patents for land issued by the Secretary of the Colony serving as the colonial Land Office. The collection is housed in the Archives at the Library of Virginia.
Subject - Personal	**Smith, Peter**, grantee.
Subject - Topical	Land titles -- Registration and transfer -- Virginia -- Lower Norfolk County
Subject -Geographic	Lower Norfolk County (Va.) -- History -- 17th century.
Genre/Form	Land grants -- Virginia -- Lower Norfolk County.
Added Entry	Virginia. Colonial Land Office. Patents, 1623-1774. Library of Virginia. Archives.
System Number	000823530

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land being due for transportation of twenty persons into the Collony.

Richard Bennett W. Claiborne, Sec.

26 May 1657. Valentine Peyton of Auquio of the County of Westmoreland for valuable consideration unto Henry Peyton, Gent. The within mentioned pattent.

Val. Peyton

20 Feb. 1657 [1658]. Acknowledged by Mr. Valentine Peyton.

Page 95 [D&W 1, p. 61]. 15 July 1657. Patent from Samuel Mathewes, Esq., unto Tho. Moulton. 500 acres bounding north easterly upon branch of Potomacke freshes nere the head of a great creeke beyond Collo. Speke's land and above the Doegg's Island, south easterly upon the land called Peter Smith's land ... into the woods ... Due for the transportation of ten persons into this Colony.

Samuel Mathewes W. Claiborne, Secr.

20 Feb. 1657 [1658]. Tho. Moulton doe assign all my interest of this pattent unto John Wood.

Tho: Moulton

Wit: Walter Brodhurst, Th. Wilsford.

20 Feb. 1657 [1658]. Acknowledged by Moulton.

Page 95a [D&W 1, pp. 61-62]. 20 Feb. 1657 [1658]. Richard Sturman atturney of John Camell assign over unto John Bell. All the right, title and interest that Camell hath to this land.

Rich: Sturman

Wit: Patrick Spence, Phill: Silvester.

20 Feb. 1657 [1658]. Acknowledged by Rich: Sturman, atturney of John Camell.

This pattent is recorded fo. 64 being Mr. Yeo his pattent.

17 Feb. 1657 [1658]. John Camell doe make Richard Sturman my lawful atturney to acknowledge a sale of land which I have sold to William Robinson.

John Camell

Wit: Wm. Newberry.

20 Feb. 1657 [1658]. Recorded.

Page 95a [D&W 1, p. 62]. 20 Feb. 1657 [1658]. Samuel Bonam doe assigne unto John Boocock. All my right, title and interest of the halfe of this pattent of land.

Sam Bonam

Wit: Tho. Wilsford.

20 Feb. 1657 [1658]. Acknowledged by Bonam.

The patent is recorded fo. 92, being Rich: Walker's pattent.

Pages 95a-96 [D&W 1, pp. 62-63]. 9 June 1653 [1654]. Patent from Rich. Bennett, Esqr., unto Capt. Geo. Read. 500 acres in the County of Northumberland upon the south side of Potomack river and upon the south side of Herring Creek adjoyning to the land of Mr. Rob. Yeo, runing into the maine woods ... formerly granted unto Capt. Read by pattent 18 Oct. 1650 and renewed by order of the Governor and Councell.

Ri: Bennett

WESTMORELAND COUNTY, VIRGINIA
RECORDS, 1658-1661

Abstracted and compiled

by

John Frederick Dorman

Washington, D. C.

1970

land being due for transportation of twenty persons into the Collony.

Richard Bennett W. Claiborne, Sec.

26 May 1657. Valentine Peyton of Auquio of the County of Westmoreland for valuable consideration unto Henry Peyton, Gent. The within mentioned pattent.

Val. Peyton

20 Feb. 1657 [1658]. Acknowledged by Mr. Valentine Peyton.

Page 95 [D&W 1, p. 61]. 15 July 1657. Patent from Samuel Mathewes, Esq., unto Tho. Moulton. 500 acres bounding north easterly upon branch of Potomacke freshes nere the head of a great creeke beyond Collo. Speke's land and above the Doegg's Island, south easterly upon the land called Peter Smith's land ... into the woods ... Due for the transportation of ten persons into this Colony.

Samuel Mathewes W. Claiborne, Secr.

20 Feb. 1657 [1658]. Tho. Moulton doe assign all my interest of this pattent unto John Wood.

Tho: Moulton

Wit: Walter Brodhurst, Th. Wilsford.

20 Feb. 1657 [1658]. Acknowledged by Moulton.

Page 95a [D&W 1, pp. 61-62]. 20 Feb. 1657 [1658]. Richard Sturman atturney of John Camell assign over unto John Bell. All the right, title and interest that Camell hath to this land.

Rich: Sturman

Wit: Patrick Spence, Phill: Silvester.

20 Feb. 1657 [1658]. Acknowledged by Rich: Sturman, atturney of John Camell.

This pattent is recorded fo. 64 being Mr. Yeo his pattent.

17 Feb. 1657 [1658]. John Camell doe make Richard Sturman my lawful atturney to acknowledge a sale of land which I have sold to William Robinson.

John Camell

Wit: Wm. Newberry.

20 Feb. 1657 [1658]. Recorded.

Page 95a [D&W 1, p. 62]. 20 Feb. 1657 [1658]. Samuel Bonam doe assigne unto John Boocock. All my right, title and interest of the halfe of this pattent of land.

Sam Bonam

Wit: Tho. Wilsford.

20 Feb. 1657 [1658]. Acknowledged by Bonam.

The patent is recorded fo. 92, being Rich: Walker's pattent.

Pages 95a-96 [D&W 1, pp. 62-63]. 9 June 1653 [1654]. Patent from Rich. Bennett, Esqr., unto Capt. Geo. Read. 500 acres in the County of Northumberland upon the south side of Potomack river and upon the south side of Herring Creek adjoyning to the land of Mr. Rob. Yeo, runing into the maine woods ... formerly granted unto Capt. Read by pattent 18 Oct. 1650 and renewed by order of the Governor and Councell.

Ri: Bennett

WESTMORELAND COUNTY, VIRGINIA

RECORDS, 1658 - 1664

ABSTRACTED AND COMPILED
BY
JOHN FREDERICK DORMAN

I now live on and my wife his mother to live there during hir life. I give him my mare with all hir future increase, also two cows, one flock bedd with furniture, one new gunn, with a pott and pestle and two breeding sowes when he shall come to seaventeen yeares of adge.

Unto my daughter Anne Rueny two cowes, one foale that now sucks.

Unto my daughter Eliz: two yearling old heifers.

All the rest of my household stuffe unto my wife Anne Rueeny.

Vincent Cox and Stephen Bayly to be overssers of my children.

Sutton Rueny

Wit: Peeter Smith, Mary (X) Cox.

25 Feb. 1673/4. Recorded.

Page 178. Sutton Rueeny. Inventory. Total valuation 14763 pounds of tobacco including one man servant valued at 2000 pounds of tobacco.

Jno: Tucker
Rob: Bennett
Vincent Cox
Rich: Tidwell

Appraisers sworn before Tho: Philpott.

25 Feb. 1673/4. Recorded.

Page 178-178a. Will of Jno: Parvin, aged 66 yeares or therabouts, dated 14 May 1673.

Unto my sonne Jno: Parvin the one halfe of all my estate.

The other halfe unto my wife Christian Parvin.

My wife Christian Parvin executrix.

Unto my sonne John one halfe of my hoggs, cattle and all other goods.

Jno. (X) Parvin

Wit: Allex: Doniphan, Mathew (X) Bursse.

25 Feb. 1673/4. Proved by Mr. Allex. Doniphan.

Page 178a. Nich. Saxton. Estate account.

Payments made to Wm. Brown, Wm. Balthrope, Mr. Tho. Pope, Mr. Wm. Storke, Coll. Jno. Washington, Tho: Hindmasse, Josias Dolling, Edwd. Williams, and for nursing the children.

25 Feb. 1673/4. Given into Court by Daniel Whitlife administrator of Nich: Saxton.

Page 178a. 23 Feb. 1673 [1674]. Sarah Perce wife to Majr. Wm. Perce appoynt my verry good freind Edwd: Franklyn my attorney to acknowledge a tract of 400 acres to Jacob Ramy which Ramy bought of my husband.

Sarah Perce

Wit: John Lewlinge, Robt. Bletso.

25 Feb. 1673/4. Recorded.

Page 179. Last 8br [Oct.] 1672. Wm. Moxley of Westmoreland County to Jno. Viccars of same. 100 acres, formerly belonging unto Mr. Jno. Quigly and by him sold unto Wm. Moxley, being on

therabouts, saith that uppon 18 July last I was with Jno. Gardner and Robt. Midleton at Nich: Jenkins' house when he lay uppon his death bedd where Jno: Gardner and Robt. Midleton was talking about confirmation of land bought of him. He said as God is my witnesse I meane nothing but honesty in the matter.

Robt. Jefferies

25 Feb. 1673/4. Recorded.

Page 177a. Amy Jenkins, aged about 45 years or thereabouts, saith that uppon 15 July last Jno. Gardner and Robt. Midleton was at her house talking with her husband concerning the confirmation of land they bought of him. He said as God is my witnesse I meane nothing but honesty in the matter. It was uppon his death bed.

Amy (X) Jenkins

25 Feb. 1673/4. Sworn in Court.

Page 177a. Mr. Wm. Lee deposition, aged about 20 yeares: All that the abovesaid person can sware is that Mr. Rich: Cole did according to my apprehension of his words freely consent and agree to runn with Jno: W[illia]ms of Ragged poynt in my brother's pasture the race which by agreement betweene Cole and Williams was to have bin on Machoatick Roade.

Wm. Lee

25 Feb. 1673/4. Sworn before Robt. Vaulx.
25 Feb. 1673/4. Recorded.

Page 177a. James Clayton, aged 45 yeares or therabouts, saith that your deponent did worke at Capa: Philpott's and questioning him who made his cask, he told me Wm. Smith. I said to him, I doe wonder you would change your old cooper. He said that he did owe Capa: Philpott a great deale of tobacco and saith he, Now he hath paid me and I shall never imploy him more.

Ja. Clayton

25 Feb. 1673/4. Sworn in Court.

Page 177a. 25 Feb. 1673 [1674]. Received of Mr. Ja: Hardwick 6080 pounds of tobacco in full of an order of Court which I obtained last Court.

Danll. Hutt

Wit: Anthony Bridges, Jno: Foxhall.
25 Feb. 1673/4. Recorded.

Page 177a. 22 Feb. 1673/4. Nich. Jones of Westmoreland County, planter, unto Wm. Rust. Small parcell of land adjoyning to the north side of Rust's plantation ... by the road side ...

Nich: (X) Jones

Wit: Robt. (X) Pennell, Robt. Jefferies.
25 Feb. 1673/4. Acknowledged by Nich: Jones.

Page 178. Will of Sutton Rueny, being very sick and weake, dated 10 June 1669.

Unto my sonne Sutton Rueny the whole divident of land that

Page 155. Deposition of Vincent Cox [and] Wm. Shores, aged 40 and 30 yeares, that Vincent Cox was imployed by Collo. Spencer to buy a servant from him and I bought Jno. Copland of Charges Cogell according to his indenture. He hath served four yeares.
Wm. Shores saith that Jno. Copeland hath served Coll. Spencer and Collo. Codd foure yeare according to his indenture.
24 7br [Sept.] 1673. Sworn in Court.

Page 155. 15 Oct. 1673. These are to certify that Ja: White servant to Mr. Wm. Storke hath served out his time according to his indenture and is accordingly discharged.
John Washington
23 Oct. 1673. Recorded.

Page 155. 22 Jan. 1672/3. Collo. John Washington doe discharge Elias Yates from all servitude whatsoever from Mr. Wm. Storke.
John Washington
23 8br [Oct.] 1673. Recorded.

Page 155a. Mr. Jno. Bruton sale of land to Mr. Ja: Green recorded in fol. 129.
17 Sept. 1673. Ja: Green of Washington Parish in Westmoreland County unto Wm. Loxam. For 4000 pounds of tobacco. 250 acres as within specified.
Ja: Greene
Wit: Wm. Balthope, Dan: White.
24 7br [Sept.] 1673. Acknowledged by Mr. Ja: Green.

Page 155a-156. 6 July 1672. Vincent Cox of Yoacomaco in Copley Parish, Westmoreland County, unto Geo: Lamkin of Yoacomaco and to the heirs of his body on the body of Hannah Lamkin his wife lawfully begotten or to be begotten and for want of such issue then to the heires of the said Hannah Lamkin. Parcell of land ... on a branch falling into Nominy River ... in Mr. Fra: Clay's line ... at the head of a branch falling into Yoacomaco River ... being part of 665 acres granted to me by pattent 27 7ber [Sept.] 1667.
Vincent Cox
Wit: Peeter Smith, Ja: Gaylard.
24 7ber [Sept.] 1673. Acknowledged by Vincent Cox.

Page 156. 23 7ber [Sept.] 1673. Sarah Grey wife of Fra: Grey impower Wm. Loxam to be my attorney to acknowledge my thirds of 250 acres sold by my husband to Merridith Price and Tho. Butler.
Sarah (X) Grey
Wit: Jossua Hudson, Wm. Barton.
24 7ber [Sept.] 1673. Wm. Loxam by virtue of the abovesaid letter of attorney did acknowledge to have received full satisfaction in the behalfe of Sarah Grey.

Page 156a. Samll. and Bridgett Earle's sale of land to Nich: Jenkins record in foll. 52.
26 Xbr [Dec.] 1672. Nicholas Jenkins unto John Garner and

WESTMORELAND COUNTY, VIRGINIA

DEEDS, PATENTS, ETC.

1665 - 1677

Part Two

Abstracted and compiled

by

John Frederick Dorman

Washington, D. C.

1973

Spencer all bills, bonds, writeings, accounts and papers now in their custody by vertue of their executorshipp that relate either to the estate of Nicho. Spencer, Esqr., deceased, or to Madm. Frances Spencer, Mr. Nicho. Spencer and Mr. Jno. Spencer as executors of Nicho. Spencer.

William Underwood as marrieing Mary the relict of Benja. Hasker confesseth judgment to Capt. Law. Washington for 400 pounds of tobacco.

Page 88a [22 Feb. 1692/3]

Capt. George Brent and Mr. Sampson Dorrell are requested to audit, state and settle all accounts and differences between Mr. Jno. Harvy as attorney of Thomas Cook and Capt. Tho. Mountjoy.

Richard Craddunk executor of Jno. Arrington was arrested to answer Jno. Scott. The plaintiff declared against him for 832 pounds of tobacco and also proved 400 pounds, part of the debt, by Thomas Tyrwhitt. Ordered that Mr. Scott produceing certificate from some of their Majesties' Justices that Isaac Jackson made oath before him that hee see John Arrington signe the bill, judgment be confirmed against Craddunk.

Madm. Frances Spencer, executrix of Mr. John Scrimgeour, was arrested to answer Thomas Youel, Gent. The plaintiff by Simon Robins his attorney complains that Mr. John Scrimgeour stood indebted by account 660 pounds of tobacco and 8 shillings sterling and 13 pounds of sugar, which remains unpaid.
The defendant by her councill demurs to the uncertainty of the plaintiff's declaration for that he mentions no date, which demurrer being overuled by the Court, the defendant pleaded nihil debit per legem. The plaintiff proving 120 pounds of the account by Miles Marmaduke, but not being able to prove the rest, judgment is granted Thomas Youel for 120 pounds of tobacco.
Upon the motion of Madm. Frances Spencer by her councill, it is ordered that Capt. Thomas Youel his declaration and account bee recorded.

Page 89

The Court doe humbly present Mr. Edwd. Franklin to his Excellency the Governor and request him to conferr the office of Sheriff of this county upon him for the ensueing year.

Ordered that the Sheriff doe summon Hanna Lamkin alias Demonvile to give security for the probate of her deceased husband George Lamkin's will.

Eliza. the wife of George Searles voluntarily relinquished her right of thirds and dower in a percell of land containing about 60 acres lying on the branches of Nominy conveyed by her husband to Peter Smith by indenture 21 Feb. 1691 [1692]

WESTMORELAND COUNTY, VIRGINIA

DEEDS & WILLS NO. 2

1691-1699

Abstracted and Compiled
From the 1801 Transcript of
the Original Volume
Which is no Longer Extant
by

John Frederick Dorman

Washington, D. C.
1965

Book No. 1.

14	John Spencer	1690	820
18	Ed. Hart, and Margaret, his wife	1690	880
25	Wm. Bridger	1690	700
28	Isaac Allerton	1690	284
30	Same	1690	64
33	Wm. Payne	1690	40
51	John and Thomas Collingsworth	1691	200
52	Pierce to Collingsworth (Deed of Conveyance)	1682	200
64	John Rice	1691	100
84	Thomas Marson	1691	278
89	Robert Forster	1691	185
107	John Wright	1691	250
110	Thomas Mountjoy	1691	Piece of Land
112	Same	1691	9A.1R.29 Perches
132	Capt. Laurence Washington	1691	550
138	Mrs. Elizabeth Lord	1691	164
142	John Wright	1691	107
144	Rice Williams	1692	107
146	Martin Fisher	1692	726
154	Thomas Tanner	1692	500
158	Thomas Claiter	1692	152
162	Bunce Roe	1692	331
164	Same	1692	163
172	Susanna Adington, widow and relict of Benjamin Adington	1692	103
186	Robert Andrewes	1692	576
190	Peter Smith, Jr.	1692	70
203	Edward Frankline and Robt. Sanford	1692	413
205	Thomas Garland	1692	61
207	Nathaniel Garland	1692	205

Book No. 2.

5	George Weedon	1694	236
8	Robert Brent	1694	200
11	George Brent	1694	1,050
19	John Wheeler	1694	64
25	Robert Franke	1694	335

Virginia County Record Publications

New Series

VOLUME I

Westmoreland County

EDITED BY THE LATE
WILLIAM ARMSTRONG CROZIER, F. R. S., F. G. S. A.
(Editor of the Virginia County Records, etc., etc.)
and published posthumously by MRS. WM. ARMSTRONG CROZIER

BALTIMORE
Genealogical Publishing Co.
1962

An order from the Lt. Governor relateing to the Coroner's proceedings, an account whereof hee is to return to the Court next before 8ber [October] General Court and the Clark to make returne thereof to the Secretary's Office the 6th day of October General Court was this day published in open Court.

Acts of Assembly made at James Citty in Anno 1691 published in open Court.

Present: Mr. Nehemiah Stark, Mr. Thomas Mountjoy, justices.

Mr. Nehem. Stark produced a certaine Negro his slave named Rufo and prayed his age might be adjudged. The Court adjudge him to be seven years of age.

Page 31a [29 July 1691]

Capt. Lawrence Washington presented a certaine Negro (his slave) named Fox and prayed his age might be adjudged. The Court adjudge him to be seven years of age.

Elizabeth Holland servant to Mr. John Newton being by her confession convicted of haveing a bastard child born of her body is fined 500 pounds of tobacco.
Mr. Jno. Newton assumeing to pay 500 pounds of tobacco to the Churchwardens of the parish of Copeley for a fine imposed on Elizabeth Holland, ordered she serve Newton half a year after her tyme by indenture or custome be fully expired.
Also ordered that Eliza. Holland doe serve Mr. Jno. Newton two yeares after her tyme by indenture or custome and the half yeare in compensation of the loss and trouble her master sustained.
Mr. Jno. Newton assumeing to enter into bond to indempnifie the parish of Copeley from all charge and damages that may happen by reason or means of Hanna Holland a bastard female child born of the body of Eliza. Holland his servant, ordered that Hanna Holland doe serve Newton untill she be of age.

Hanna Lampkin widdow of George Lamkin this day acknowledged to have received satisfaction upon the deed of mortgage lately passed from Arthur Harris to her husband George Lampkin.

Mr. Robt. Jadwin acknowledged a lease of lands for ninety nine years from him to John Crowcher.

The last will and testament of George Lampkin was this day produced in Court and duely proved by the oaths of Peter Smith Senr., Margarett Goreing and James Ellis witnesses thereto, and a probat thereof granted to the executrix therein named.

Andrew Munroe presented a Negro boy his slave named Tom and prayed his age might be adjudged. The Court doe adjudge him to be seven years of age.

WESTMORELAND COUNTY, VIRGINIA

ORDER BOOK 1690 - 1698

Part One
1690/1 - 1692

Abstracted and compiled

by

John Frederick Dorman

Washington, D. C.

1962

With the reservation that his said father John Buller and Sarah his mother shall live upon the land and attend of both their natural lives, then to come to the hands of the said Robert Buller.

I doe likewise promise to build a house of 35 foott in length upon the said land at my own proper cost.

George Hardwick

Wit: John Spirring, George Anderson, Mary Spering.

27 Jan. 1696 [1697]. Acknowledged by George Hardwick.

Pages 88a-89. 25 Jan. 1696 [1697]. Thomas Sharpe son of Thomas Sharpe of Westmoreland County, deceased, youman, to John Pratt. For 5000 pounds of tobacco.

All interest in land described below: Thomas Sharpe my deceased father died seized of 365 acres granted unto John and Thomas Palmer by pattent 23 March 1664. Thomas Palmer and Mary his wife did sell the land unto Thomas Sharpe my deceased father by assignment on the back of said pattent 23 April 1666. Thomas Sharpe by his last will 5 March 1676/7 bequeathed the said 365 acres to be equally divided between his two sons John Sharpe my brother and me the said Thomas Sharpe, John Sharpe to have his choice. John Sharpe, deceased, did sell his part unto John Pratt of said county, yeoman.

Thomas Sharpe

Wit: William Horton, John Gibson, Richard Alife.

27 Jan. 1696 [1697]. Acknowledged by Thomas Sharpe.

25 Jan. 1696 [1697]. Elizabeth Sharpe wife of Thomas Sharpe acknowledge my free voluntary consent unto the sale of the abovesaid land and relinquish all dower.

Elizabeth Sharpe

Wit: William Horton, John Gibson, Richard Aylife.

Pages 89a-90. 21 Oct. 1696. John Bayly of Cople Parish, Westmoreland County, to William Walker of same. For one half part of the charges for surveying and pattenting.

100 acres, part of 203 acres to be laid out on the west side of the tract. I have taken upp, surveyed and pattented 203 acres ... by a swamp that divideth this land and the land of Robert Middleton ... land of Peter Smith ... by pattent bearing date 1 September last past and signed by William Fitzhugh one of the Proprietor's agents.

... John Bayly and Elizabeth my wife ...

John Bayly

Wit: Thomas Kirtly, Sarah Newstubl [?], Simon Robins.

27 Jan. 1696 [1697]. Acknowledged by John Bayly.

Pages 90-91. 4 Jan. 1696 [1697]. Nathaniel Butler of Washington Parish, Westmoreland County, planter, to Tobias Butler of same. For 6000 pounds of tobacco.

130 acres, all that parcell of land which my deceased father John Butler late of Westmoreland County bequeathed to me his son in his last will 15 March 1683/4, being part of a pattent granted to my father John Butler, deceased, 18 April 1670 for 597 acres ... corner tree of 200 acres sold to Edward Coney out of the abovesaid pattent ... branch divideth

23 Feb. 1697 [1698]. Proved by the witnesses. Probate granted to Eliza. Paine his relict.

Pages 129-129a. Will of Stephen Bailey of the Parish of Cople being sick and weak in body, dated 8 Dec. 1697.

Unto my son John Baily all that tract in the forrest, by estimation 50 acres.

Unto my son William Baly all that tract whereon I now live and for want of heirs males then to my son John Baily.

Unto Anne Smith my daughter one small iron pott and a warming pann, and my gray mare branded J.B.

Unto Anne Bailey daughter of Stephen Bailey deceased, one heifer called Doll, to remain in the hands of John Baily and delivered with all female increase to Anne at 16 years of age or day of marriage. The maile increase to John Baley for his trouble. In case Anne should die before the said time, then the heifer and increase to be divided among John Bailey's children.

Unto Mary Walker daughter of William Walker deceased, one heifer named Moll.

Unto my daughter Mary Smith one shilling.

Unto my son John Bailey, Anne Smith and William Baily, all the residue of my personal estate to be equally divided.

My loving sons John Baily and William Bailey executors.

Stephen Baly

Wit: Henry Rosse, Saml. Damanville, Thomas Bee.

23 Feb. 1697 [1698]. Proved by the witnesses. Probate granted to John Bailey and William Bailey.

Pages 129a-130a. Will of William Clarke in the County of Westmoreland, being sick and weak in body, dated 26 Dec. 1697.

Unto my loving wife Mary Clarke 100 acres with the plantation and all belonging to it.

Unto my son James Clarke 100 acres belonging to the plantation and after his mother's decease to have the place or plantation, the land containing 200 acres.

Unto son William Clarke 300 acres up Potomack River upon Pohick Creek.

My daughter Anne Clarke, Elizabeth, Mary, Jane and Frances Clarke 340 acres to be equally divied amongst them. In case any of my daughters should marry and should sell their part, it shall be to one of the sisters.

If my son James Clarke or my son William Clarke should dye, their land to be equally divided among my daughters.

All my personal estate to my loving wife and yokefellow Mary Clarke.

My loving wife Mary Clarke, James Clarke and William Clarke executors and Peter Smith and Peter Dunkan my trustees.

William Clarke

Wit: William Linton, John Dunkan.

23 Feb. 1697 [1698]. Proved by the witnesses. Probate granted the executors.

Page 130a. We being called by William Eales the day he died to come unto him, as also Joseph Hardwick, Eales did declare

Pages 399-400. Mr. Simon Robins. Estate account. Payments made to Mr. Avery Nayler, Capt. Bushrod, Mr. John Higgins, Richard Tydwell (for the use of Robert Tydwell), Mr. David Straughan, George Eskridge (attorney's fees and on account of Mrs. Baer), John Gray, Edmd. Jeffries, Mr. Blanchflower, Capt. Spence, Saml. Earle.

James Bourn

27 Feb. 1705 [1706]. James Bourn exhibited the account.

Page 400. 27-28 March 1706. Mary Dudley of Cople Parish, Westmoreland County, widdo, being sworn touching the birth and age of William Manley son of John Manley late of the parish aforesaid, did declare William Manley was born some time towards the latter end of the month of June 1686.

Ellenor Crane the wife of Thomas Crane of Westmoreland County being sworn touching the birth and age of William Manley son of John Manley late of Cople Parish, Gent., and Restitute his wife did declare he was born towards the latter end of June 1686. She officiated as midwife.

Page 401. 29 May 1706. Francis Redman, aged about 28, and Robert Poore, aged about 22, sayeth att or about 6 March 1705 [1706] Richard Evans being very sick and weak (of which sickness afterwards died) did as he lay sick bid your deponents take notice that he did give unto Benjamin Erwin all his estate.

Francis Readman
Robert Poore

29 May 1706. Francis Readman and Robert Poore made oath.

Page 401. 5 Jan. 1705/6. Came before us the Chief officers of her Majesties customs in the port of Lime Regis, John Hine, master of the Speedwell, burthen 60 tons, mounted with [ ] guns, navigated with eight men English, built English, and made oath that at Potomack in Virginia he became bound to her Majesties use on 13 June last with condition that all sugars, tobacco, cotten, wool, indico, ginger, fustick, or other dying, wood of the growth, production or manufacture of any English plantation in America, Asia, Africa, as should be loaded on board the vessel, should be brought to some port of England, Wales or town of Berwick upon Tweed, and there unloaded. There hath been landed out of the said shipp within the port of Lyme Regis 130 hogsheads and six barrels, quantity 54,200 pounds of Virginia tobacco.

Jo. Warden	Will. Culleford
Sam. Clarke	Richd. Breton
Intr. A. T.	T. Newport

May 1706. Entered on the records.

Pages 402-03. 15 June 1684. James Smith of Westmoreland County to my brother Peter Smith of Yeocomico. For a valuable consideration.

100 acres in Nominy Forest bought of Wm. Webb ... adjoining Wm. Webb.

James Smith

Wit: Richard Bruckes, Richard Belleman.

30 May 1706. Recorded.

13 May 1706. Hannah Breel spouce to Henry Breel of Northumberland County, only daughter and child of the deceased James Smith of Westmoreland County, with the consent of Henry Breel, to Peter Smith.

Our interest in the land.

Hannah Breel
Henry Breel

Wit: John Davidson, Margrett Smith.

29 May 1706. Acknowledged by Henry Brill and Hannah his wife by James Graham their attorney.

13 May 1706. Henry and Hannah Breels of Northumberland County appoint James Graham of Westmoreland County our attorney to acknowledge an assignment of our right to some land mentioned in a bill of sale granted by the deceased James Smith to Peter Smith his brother.

Henry Breel
Hannah Breel

Wit: John Davidson, Margrett Smith.

30 May 1706. Recorded.

Pages 403-05. 2 July 1705. Jacob Martin of Washington Parish, Westmoreland County, mariner, to Jacob Hollister of the City of Bristol, merchant. For £100 sterling.

Four Negroes, Will, a boy called Will the son of Will, Nanny and Jenny.

Jacob Martin

Wit: Timothy Bryant, Nathl. Pope.

29 May 1706. Acknowledged by Jacob Martin by Robert Vaulx his attorney.

25 April 1706. I have sold unto Jacob Hollister four Negroes but not having delivered the same, I deliver unto Caleb Butler Gent. for Jacob Hollister all my [interest]

Jacob Martin

Wit: Nathl. Pope.

29 May 1706. Acknowledged by Mr. Robert Vaulx by virtue of a power of attorney from Jacob Martin.

25 April 1706. Jacob Martin have appointed Robert Vaulx to acknowledge the delivery of Negroes.

Jacob Martin

Wit: Nathl. Pope.

29 May 1706. Proved.

Pages 405-06. 2 July 1705. Jacob Martin [sic; Hollister] of the City of Bristol, now in Washington Parish, Westmoreland County, merchant, appoint my friend Caleb Butler of Washington Parish, Gent., my attorney in Virginia or Maryland, particularly in a business wherein I am concerned as attorney for Richard Champion of the City of Bristol against Jacob Martin of the said parish, mariner.

Jacob Hollister

Wit: Timothy Bryan, Nathl. Pope.

29 May 1706. Proved.

Pages 406-09. 28 May 1706. Jacob Simmonds of Cople Parish, Westmoreland County, planter, to Francis Lynch of same,

Present: Lewis Markham, Caleb Butler, Andrew Munro, Gent., justices.

Thomas White, servant to Mr. Thomas Weedon, adjudged thirteen yeares of age.

Robert Bryan, servant to Nathll. Pope junr., adjudged thirteen yeares of age.

Edward McDonnell, servant to Mrs. Margrett Hart, adjudged fifteen yeares of age.

John Kersey, servant to Mr. John Higgins, adjudged eight yeares of age.

William Frizwell, servant to Thomas Shaw, adjudged twelve yeares of age.

Page 24 [29 May 1706]

John Bourn, servant to Caleb Butler, Gent., adjudged thirteen yeares of age.

A letter of attorney from Richard Morris to Amy Morris his wife was proved and ordered a certificate of proof thereof.

Upon the petition of Thomas Bee for reasons now shown to the Court, hee is exempt from future payment of publique county and parish levyes and tythes.

Present: Lewis Markham, Caleb Butler, Andrew Munro, Gent., justices.

Ordered that Capt. John Bushrod do take the list of tythables for the upper precinct of Copeley Parish.
Ordered that Willoughby Allerton, Gent., do take the list of tythables for the lower precinct of Copeley Parish.
Ordered that Andrew Munro, Gent., do take the list of tythables for the upper precinct of Washington Parish.
Ordered that Caleb Butler, Gent., do take the list of tythables for the lower precinct of Washington Parish.

Henry Breell and Hannah his wife by James Graham their attorney acknowledged a sale of their right of land formerly conveyed to Peter Smith by James Smith, father of Hannah, to Peter Smith.

Thomas Bee confessed judgment to Francis Lynch, merchant, for 707 pounds of tobacco.

Whereas severall former orders for the appraisement and division of the estate of Alexr. Spence, Gent., according to

WESTMORELAND COUNTY, VIRGINIA
ORDER BOOK 1705-1721

PART ONE
1705-1707

ABSTRACTED AND COMPILED

BY

JOHN FREDERICK DORMAN

WSHINGTON, D.C.

1990

Nicholas Smith

♂ Abt 1658 - 1731 (~ 73 years)

Name	Nicholas Smith	
Born	Abt 1658	Kent County, Maryland
Gender	Male	
Died	25 Feb 1730/31	Westmoreland County, Virginia - Probate
Person ID	I065086	Tree1
Last Modified	3 Aug 2018	

Father	Robert Smith, **b.** 1599, England, **d.** 26 Feb 1660/61, Northumberland County, Virginia - Probate (Age 62 years)	
Mother	Anne MNU Smith, **b.** Aft 1631, **d.** Aft 1679, Cecil County, Maryland (Age > 48 years)	
Married	Bef 1647	Kent County, Maryland
Family ID	F18453	Group Sheet | Family Chart

Family	Anne Bailey, **b.** Abt 1662, Northumberland County, Virginia, **d.** Aft 1731, Westmoreland County, Virginia (Age ~ 70 years)	
Married	Abt 1678	Westmoreland County, Virginia
Children	1. Peter Smith, **b.** Abt 1678, Westmoreland County, Virginia, **d.** 12 May 1741, Westmoreland County, Virginia - Probate (Age ~ 63 years) 2. Nicholas Smith, **b.** Abt 1680, Westmoreland County, Virginia, **d.** Aft 1733, Prince William County, Virginia (Age ~ 54 years) 3. James Smith, **b.** Abt 1682, Westmoreland County, Virginia, **d.** 31 Mar 1714, Cople Parish, Westmoreland County, Virginia - Executor Bond (Age ~ 32 years)	
Last Modified	3 Aug 2018	
Family ID	F30955	Group Sheet | Family Chart

Notes

- === Page 92 Wills of Westmoreland Co., VA

SMITH, NICHOLAS, 23 July 1728: 25 Feb. 1730.
Lands between Nicholas, Peter and James the sons of the said Nicholas Smith; son John 1 shilling; 1/2 of my estate to be equally divided between my three sons and three daus.
===
WESTMORELAND COUNTY DEEDS & WILLS. 1729-1732: Pg 143 - 144
IN THE NAME OF GOD, Amen. I NICKLIS SMITH of the Paresh of Cople and County of Westmorland being in parfet helth mamre and remembrence, do make conseute and apint this my Last Will and Testament in maner and fourme fouling;
Impramis. I commit my sole to God that gave it hoping that through the martious dath of Jesus Christ to recieve free pardon and forgivenes of all my sins and my body to be bored in Christian burell at the discretion of my futer creters hereafter nominateth and what was plesd, the Lord to lend me I give and bequeth in maner and forme foling, my date fulld payd.
Item. I give unto my Son NICKLIS SMITH, the halfe of all my Estate and my Land to my thre Sons, NICKLIS SMITH, PETER SMITH, JAMES SMITH, equelly to be devided amongst the three and the other half of Chatles and House goods to be equelly devided amongst all my Sons and Daghters, except my Son, JOHN SMITH.
Item, I leve him one Shilling. And I doe apint my loving Son, NICKLIS SMITH, Eaxcerter of this my Last Will and Testament. In Witness whereof I have hereunto sat my hand and seal! this Twenty third daye of July 1728
THOMAS SMITH NICKLIS SMITH
JAMES BALY his marke
Item. I love my Land to my thre Sons, NICKLIS SMITH, PETER SMITH and JAMES SMITH to them and there hors for Ever and if any die without hers his part to fall to the nax Eldes and if any desier to sail or part with his part, it shall be to ech other.
Item. I leve to my Son, JOHN SMITH, one shilling and no more
Westmorld. ss. At a Court continued & held for the sd. County the 25th day of February 1730 This Last Will and Testament of NICHOLAS SMITH, deced., was presented into Court by NICHOLAS SMITH, the Executor therein named, who made Oath thereto, and being proved by the Oaths of the witnesses thereto, is admitted to Record
Test G. TURBERVILE, C. C. W.
Recorded the Seventeenth day of March 1730, G. T., C. C. W.
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 72
25 June 1678: In the case between Robt. and Nich. Smith, orphants, and and Henry Owen and .Tho,... Moore, the Couth doth order that what land Hen. Owen and Moore doe Possesse and at present injoy.: that is 'within the bounds of Robt.. and Nich: Smith pattent,: that Owen and Moore doe delliver quiett possession to the Orphants or there guardians.
===
WESTMORELAND COUNTY DEEDS & WILLS. 1732-1734: Pg 8-9
overeign Lord George the Second by the grace of god of Great Brittain France and Ireland, King, Defender of the faith &c., And in the year of our Lord God one thousand seven hundred and Thirty two; By and Between HUGH DUNNAHAW of Cople Parish in Westmorland County of one part and THOMAS SMITH of the same Parish and County of other part; Wittnesseth that HUGH DUNNAHAW in consideration of the sum of Five thousand pounds of good lawful! tobacco to him in hand paid by THOMAS SMITH, the Receipt whereof HUGH DUNNAHAW doth hereby acknowledge, hath and by these presents doth bargain and sell unto THOMAS SMITH his heirs all that tract of land containing Fifty acres be the same more or less scituate in Parish and County aforesaid and was formerly granted unto said HUGH DUNNAHAW by a Nod from the Proprietors or the Northern Neck of Virginia, relation thereunto being had may more at large appear, which fifty acres of land more or less is bounded upon the Lands of NICHOLAS and SMITH and the Lands of JOHN BALEY, BENJAMIN WALSER and the Land formerly granted to FRANCIS CLAY upon a Swamp commonly called CROSS TAVERN opposite to and joyning with the Land of CHARNOCK COX, with all it rights members and appurtenances belonging; To have and to hold the messuage or tenement with all other the premises with appurtenances unto THOMAS SMITH his heirs; and HUGH DUNNAHAW for himself and his heirs the fifty acres of Land and all other the premises with appurtenances unto THOMAS SMITH and his heirs shall warrant and for ever defead by these presents freely and clearly acquitted of all manner of incumbrances; In Wittness whereof the parties to these presents have interchangeably sett theire hands and seals the day and year first above written
Signed Sealed and Delivered in the presence of
JAMES THOMAS, RICHARD COLEMAN, HUGH his mark DUNNAHAW
JAMES THOMAS JUNR.,
ROBT. his markt SMITH
WM: his mark SMITH
June ye 2d. 1732; Then received of THOMAS SMITH the sum of five shillings of good and lawful! money in full payment for this consideration within menconed; As Wittness my hand
JAMES THOMAS, HUGH his mark DUNNAHAW
RICHARD COLEMAN.
JAMES THOMAS JUNR.
Memorandum. That on the third day of June in the year of our Lord one thousand seven hundred and thirty two HUGH DUNNAHAW made livery and seizin of the land with appurtenances within mentioned by delivering Turff and Twigg at the ring of the Door of the Cheiff Mansion House on the lands unto THOMAS

SMITH according to the form and effect of the within Deed
In presence of us ROBERT his mark SMITH
WILLIAM his mark SMITH
JAMES THOMAS, JUNR.
Westmorld. ss. At a Court held for the sd. County the 28th day of November 1732
This Deed of Feoffment of Land passed by HUGH DUNAHAW to THOMAS SMITH was proved in open Court by the Oaths of JAMES THOMAS, ROBERT SMITH and JAMES THOMAS, JUNR. three of the witnesses thereto: also the Livery of Seizin & Receipt for the consideration thereon endorsed were proved by the Oaths of the sd. ROBERT SMITH and JAMES THOMAS JUNR . all which at the instance of the sd. THOMAS SMITH are admitted to Record
Test G. TURBERVILE, C. C. W.
Recorded the Eigheenth day of January 1732, pr, G. T. C. C. W.
On margin: DUNNAHAW's Bond to SMITH
KNOW ALL MEN by these presents that I HUGH DUNNAHAW of Cople Parish in Westmorland County do owe and stand justly indebted unto THOMAS SMITH of the same Parish and County in the sum of Ten thousand pounds of good lawfull tobacco to the payment of which well and truely to be made I bind my self my heirs firmly by these presents; Sealed with my seale and Dated the Second day of June in the fifth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c., Annoq: Domini 1732
THE CONDITION of the above obligation is such that if the above bounden HUGH DUNNAHAW his heirs do well and truely observe and keep all Covenants and agreements which on his or their parts ought to be observed and kept comprised in one Indenture of Bargain and Sale between HUGH DUNNAHAW of one part and THOMAS SMITH of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of no effect else to stand and remain and be in full force power strength and virtue
===
WESTMORELAND COUNTY ORDER BOOK, 1718-1721; pg 9
Westmoreland County Court 13th day of November 1718
Judgment is granted NICHOLAS SMITH against JOYCE WILLIAMS, Admrx. of the goods and Chattels that were of HENRY WILLIAMS, deced. for the sum of seven hundred thirty and five pounds of tobacco due by bill ordered the said JOYCE do pay the same if assets remain after all former lawfull disbursements shall be satisfied together with costs alias exc
===
WESTMORELAND COUNTY DEEDS & WILLS. 1740-1742: Pg 111-113
THIS INDENTURE made this Eighth day of May in the fourteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord one thousand seven hundred and fourty, Between SAMUEL MOORE and JANE his Wife and JOHN MARMADUKE and WENEFRED his Wife of Cople Parish and Westmoreland County of one part and JAMES BAILEY of the same Parish and County of other part; Wit- nesseth that SAMUEL MOOR and JOHN MARMADUKE in consideration of the sum of One thousand pounds of lawful tobacco to them in hand paid by JAMES BAILEY, the Receipt whereof SAMUEL MOOR and JOHN MARMADUKE doth hereby acknowledge themselves therewith satisfied; hath and by these presents cloth bargain and sell all that parcel of land containing Fifty acres be the same more or less lying in Parish and County aforesaid, being part of One hundred and fifty acres of land which NICHOLAS SMITH, deceased, left to he divided between his three Sons. NICHOLAS, PETER and JAMES, and NICHOLAS SMITH, Son of NICHOLAS SMITH deceased, sold his part of the land to JOHN LAMKIN by a Deed of Feoffment bearing date the fourth day of September in the year of our Lord one thousand seven hundred and thirty three, and after the decease of JOHN LAMKIN the land fell to his two Daughters. WINEFRED and JANE LAMKIN, who are since intermarried to JOHN MARMADUKE and SAMUEL MOOR, with all houses orchards profts and appurtenances to the same belonging. To have and to hold the Fifty acres of land and premises with appurtenances unto JAMES BAILEY his heirs; And SAMUEL MOOR and JOHN MARMADUKE for themselves their heirs &c. the premises unto JAMES BAILEY and his heirs against the claim of any person shall warrant and forever defend by these presents: In Witness whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written
Signed Sealed and Delivered in presence of
THOMAS MOOR, SAMUEL MOOR -----,
WILLIAM GROVE JANE her mark MOOR
JOHN MARMADUKE
WENEFRED MARMADUKE
Memorandum, That on the Eight day of May in the year of our Lord God one thousand seven hundred and fourty, SAML. MOORE and JOHN MARMADUKE made livery and seizen of the lands and appurtenances within mentioned by delivering Turff and Twigg and the Ring of the Door in the name of the whole land and appurtenances within sold according to the form and effect of the Deed. in presence of us
THOMAS MOOR, WILLIAM GROVE
Received of JAMES BAILEY the sum of One thousand pounds of lawful tobacco in full payment for the consideration within mentioned, Witness our hands this Eight day of May Anna Dom: 1740 JOHN MARMADUKE SAMUEL his mark MOOR
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 JOHN MARMADUKE and WINIFRED his Wife and SAML. MOORE and JANE his Wife came into Court and the femes being first privately examined according to Law, they all personally acknowledged this Deed of Feoffment for land by them passed sold and conveyed unto JAMES BAILEY together with Livery of Seizen thereon endorsed to be their proper act and deed, and the said JOHN and SAMUEL also acknowledged the Receipt for the consideration endorsed on the said Deed, also to be their proper act and deed, all which at the instance of the said BAILEY are admitted to Record
Recorded the Fourth day of September 1740
Teste GEORGE TURBERVILLE, C. W. C.
KNOW ALL MEN by these presents that we SAMUEL MOOR and JOHN MARMADUKE of Cople Parish and Westmoreland County do owe and stand justly indebted unto JAMES BAILEY of said Parish and County in the penal sum of Two thousand pounds of lawfull tobacco: to the which payment well and truly to be paid we bind our selves our heirs firmly by these presents, Sealed with our seals and dated the Eighth day of May in the fourteenth year of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland. King, Defender of the faith Annoq: Domini 1740
THE CONDITION of the above obligation is such that if the above bound SAMUEL MOOR and JOHN MARMADUKE their heirs do well and truly observe and keep all the Covenants which on their parts ought to be oberved and kept mentioned in an Indenture of Bargain and Sale made between SAMUEL MOOR and JOHN MARMADUKE of one part and JAMES BAILEY of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of none effect, otherwise to stand remain and be in full force power strength and virtue
Signed Sealed & delivered in presence of
THOMAS MOOR, SAML: MOOR
WILLIAM GROVE JOHN MARMADUKE
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 This Bond for performance of Covenants from JOHN MARMADUKE and SAMUEL MOOR to JAMES BAILEY was personally acknowledged in open Court by the said MARMADUKE and MOOR, and at the said BAILEYs instance admitted to Record
Recorded the Fourth day of September 1740
Test GEORGE TURBERVILLE, C. W. C.
===
CAVALIERS AND PIONEERS PATENT BOOK No. 5; Pg 478
ROBERT SMITH & NICH. SMITH, 225 acs., in the forest bet. Rappa. & Patomeck Rivs., beg. on a point bet. two branches of Nominy Riv. The sd. land being surveyed for John Ayres, by him assigned to sd. patentees & due for trans. of 5 pers.* 28 Jan. 1662, p. (202).

Anne Bailey

Abt 1662 - Aft 1731 (~ 70 years)

Name	Anne Bailey	
Born	Abt 1662	Northumberland County, Virginia
Gender	Female	
Died	Aft 1731	Westmoreland County, Virginia
Person ID	I086164	Tree1
Last Modified	3 Aug 2018	

Father	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Mother	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Family ID	F14589	Group Sheet | Family Chart

Family	Nicholas Smith, **b.** Abt 1658, Kent County, Maryland, **d.** 25 Feb 1730/31, Westmoreland County, Virginia - Probate (Age ~ 73 years)	
Married	Abt 1678	Westmoreland County, Virginia
Children	1. Peter Smith, **b.** Abt 1678, Westmoreland County, Virginia, **d.** 12 May 1741, Westmoreland County, Virginia - Probate (Age ~ 63 years) 2. Nicholas Smith, **b.** Abt 1680, Westmoreland County, Virginia, **d.** Aft 1733, Prince William County, Virginia (Age ~ 54 years) 3. James Smith, **b.** Abt 1682, Westmoreland County, Virginia, **d.** 31 Mar 1714, Cople Parish, Westmoreland County, Virginia - Executor Bond (Age ~ 32 years)	
Last Modified	3 Aug 2018	
Family ID	F30955	Group Sheet | Family Chart

Notes

- WCO 1731-39, p.148James Hughes 2005-07-01 10:44:40
  Burgess Family and Relatives

  Westmoreland County, Virginia Will Book page 124-125. Stephen Bailey made his Will in Westmoreland County, as follows: In the name of God Amen. I Stephen Bailey of the parish of Cople, being sick and weak in body, but of sound and perfect memory do make, constitute and appoint this my last Will and Testament in manner and form following, Imprimis I commit my soul to God, that gave it hoping through the Merits and Satisfaction only of my dear Lord and Savior Jesus Christ to obtain the forgiveness of my sins anda blessed resurrection to everlasting life, and my body to be buried at the discression of my Executors hereafter named and as for what worldly estate, the Lord hath been pleased to Lend me I give and bequeath as followeth, after my Debts and Funeral paid,

  Item. I give unto my son John Bailey all that tract of land in the forrest by estimation fifty acres, be it more or less with all houses fences and appurtenances thereunto belonging to him and his heirs forever.

  Item. I give unto my son William Bailey all that tract of land where on I now live with all houses, orchards, and appurtenances thereto belonging, to him and his heirs males of his body begotten forever, and for want of such heirs males then it is my will that the said Land and all the appurtenances , be and remain to my son John Baily and his heirs males forever.

  Item. I give unto Anne Smith my daughter, one small Iron Pot and a wearever panne and my gray mare, branded S.B. to her and her heirs forever.

  Item. I give unto Anne Bailey daughter of Stephen Bailey, deceased, one heifer called Doll, and all her female increase, the said heifer to be and remain in the hands of John Bailey and delviered with all the female increase to the said Anne at 16 years of age or day of marriage which first happens and the male increase to John Bailey for his trouble; but in case the said Anne die before the said Time, then the said Heifer and Increase to be divided among John Bailey's children.

  Item: I give unto Mary Walker daughter of William Walker deceased one heifer named Moll and all her increase to her and her heirs or assigns forever to be delivered to her immediately after my death.

  Item. I give unto my daughter Mary Smith one shilling.

  Item. I give unto my son John Bailey, Anne Smith and William Bailey all the residue of my personal Estate whatsover, to be equally divided amongst them at their own discression immediately after my decease, Lastly I make constitute and appoint my loving sons John Bailey and William Bailey Exors. of this my last Will and Testament.

  In witness whereof this my last will and Testament. In Witness whereof I have hereunto sett my hand and seal the 8th day of December 1696. Sealed and published in presence of us Stephen Baly (Seal) Henry Rosse Samll Damanville Thomas Bee. Westmoreland set.

  At a court held for the county the 23 day of February 1697. The Last Will and Testament of Stephen Baily proved by the Oath of the witnesses threto subscribed and a probate there of granted to John Bailey and William Bailey the Executors therine named, and or to be Recorded. Recorded Deed Book No 2 at page 129.

  ===

  Contributed by Edward White

  THE BAILEY CONNECTION

  There seems to be a close relation with the Bailey family. On September 13, 1684, Stephen Bailey obtained 50 acres of land next to Robert and Nicholas Smith's patent. In addition, Peter was a neighbor of John Bailey at least on the 1696 Bailey patent. In 1685, Peter Smith furnished surety of 30,000 pounds of tobacco for the estate of William (III) Walker, stepson of Stephen Bailey. The name Vincent Smith is most interesting in the Bailey context. After naming children Stephen, John, William and James for years, James Bailey, b.1705, named a son Vincent Smith Bailey. John Bailey's father,

  Stephen Bailey's will written on December 28, 1697, mentioned two daughters, Ann Smith and Mary Smith. Many family trees list a later Peter Smith as husband of Mary Bailey. I have seen absolutely no proof of that, though it seems likely that the Bailey sisters might have married into to Smith family. That does not mean there was no marriage connection between these families.

  1. In 1701, Robert (2) Smith died. The will has not survived but its proof was recorded. Mary is, identified as his relict, was Executrix William Bailey, Stephen's son, was a witness.

2. Robert (2) Smith's brother, Nicholas, died in 1730 or 1731. Following his death, his relict, Anne, successfully petitioned for her dower.

3. The ages match. On January 28, 1662 a patent was issued to Robert and Nicholas Smith for 225 acres of land beginning at a point between two branches of Nomini. The odd circumstances of this issuance were discussed previously, but the important factor is that they were both minors as is indicated by an order for their guardian, unnamed, to pay for a survey used in a lawsuit in which they were involved. This was in 1678 and would indicate they were born after 1657.

4. William Walker died in 1657. His widow quickly married Stephen Bailey. Their children would be about the same age as Robert and Nicholas Smith.

5. Marriages between sets of brothers and sisters was not at all uncommon.

6. The families lived in close proximity, had other connections as noted above and there were no other Smiths in this part of Westmoreland at this time of which I am aware.

I am willing to make the surmise that the two Bailey daughters married Robert and Nicholas Smith.

_____

WD 8-228, 2/5/1733/4, 2/26/1733/4. Deed. John Bailey to James Bailey recites earlier deed to Stephen as well as a very good description of the property.
WCO Order Book 1675-1688, p.382, Dorman Pt. 4, p.25, 5/27/1685.
WD 2-129, 12/8/1697, 2/23/1697/8.
WCO Order Book 1698-1701, 5/29/1701, p.118.
WD 8-139, 7/23/1728, 2/25/1730/1. Will.
WCO Order Book 1721-1731, p. 21, 4/27/1732.
Land Office Patents No. 5, 1661-1666 (v.1 & 2 p.1-369), p. 202 (Reel 5).
WCO Order Book 1676-1679, p.140, Dorman, Pt.1, p.79 12/11/1678.
Northumberland County Record Book 1652 -1658, p.108, ©Peter's Row - 2002, p.123,
3/10/1656/7, 5/20/165

Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties - Maintained by Mike Marshall
http://colonial-settlers-md-va.us/

Return to normal view

Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties

Entries: 105030 **Updated:** 2015-06-22 20:45:23 UTC (Mon)
Contact: Mike mrmursha2004@yahoo.com

This site attempts to reconstruct a family tree of early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties along the Potomac and Rappahannock River Valleys; >>

- *ID:* I065088
- *Name:* **Nicholas Smith**
- *Sex:* M
- *Birth:* ABT 1658 in Kent County, Maryland
- *Death:* 25 FEB 1730/31 in Westmoreland County, Virginia - Probate
- *Note:*

=== Page 92 Wills of Westmoreland Co., VA

SMITH, NICHOLAS, 23 July 1728; 25 Feb. 1730.
Lands between Nicholas, Peter and James the sons of the said Nicholas Smith; son John 1 shilling; 1/2 of my estate to be equally divided between my three sons and three daus.
===
WESTMORELAND COUNTY DEEDS & WILLS. 1729-1732: Pg 143 - 144
IN THE NAME OF GOD, Amen. I NICKLIS SMITH of the Paresh of Cople and County of Westmorland being in parfet helth mamre and remembrence, do make conseute and apint this my Last Will and Testament in maner and fourme fouling;
Impramis. I commit my sole to God that gave it hoping that through the martious dath of Jesus Christ to recieve free pardon and forgivenes of all my sins and my body to be bored in Christian burell at the discretion of my futer creters hereafter nominateth and what was plesd, the Lord to lend me I give and bequeth in maner and forme foling, my date fulld payd.
Item. I give unto my Son NICKLIS SMITH, the halfe of all my Estate and my Land to my thre Sons, NICKLIS SMITH, PETER SMITH, JAMES SMITH, equelly to be devided amongst the three and the other half of Chatles and House goods to be equelly devided amongst all my Sons and Daghters, except my Son, JOHN SMITH.
Item, I leve him one Shilling. And I doe apint my loving Son, NICKLIS SMITH, Eaxcerter of this my Last Will and Testament. In Witness whereof I have hereunto sat my hand and seal! this Twenty third daye of July 1728
THOMAS SMITH NICKLIS SMITH
JAMES BALY his marke
Item. I love my Land to my thre Sons, NICKLIS SMITH, PETER SMITH and JAMES

SMITH to them and there hors for Ever and if any die without hers his part to fall to the nax Eldes and if any desier to sail or part with his part, it shall be to ech other.
Item. I leve to my Son, JOHN SMITH, one shilling and no more
Westmorld. ss. At a Court continued & held for the sd. County the 25th day of February 1730 This Last Will and Testament of NICHOLAS SMITH, deced., was presented into Court by NICHOLAS SMITH, the Executor therein named, who made Oath thereto, and being proved by the Oaths of the witnesses thereto, is admitted to Record
Test G. TURBERVILE, C. C. W.
Recorded the Seventeenth day of March 1730, G. T., C. C. W.
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 72
25 June 1678: In the case between Robt. and Nich. Smith, orphants, and and Henry Owen and .Tho,... Moore, the Couth doth order that what land Hen. Owen and Moore doe Possesse and at present injoy.: that is 'within the bounds of Robt.. and Nich: Smith pattent,: that Owen and Moore doe delliver quiett possession to the Orphants or there guardians.
===
WESTMORELAND COUNTY DEEDS & WILLS. 1732-1734: Pg 8-9
overeign Lord George the Second by the grace of god of Great Brittain France and Ireland, King, Defender of the faith &c., And in the year of our Lord God one thousand seven hundred and Thirty two; By and Between HUGH DUNNAHAW of Cople Parish in Westmorland County of one part and THOMAS SMITH of the same Parish and County of other part; Wittnesseth that HUGH DUNNAHAW in consideration of the sum of Five thousand pounds of good lawful! tobacco to him in hand paid by THOMAS SMITH, the Receipt whereof HUGH DUNNAHAW doth hereby acknowledge, hath and by these presents doth bargain and sell unto THOMAS SMITH his heirs all that tract of land containing Fifty acres be the same more or less scituate in Parish and County aforesaid and was formerly granted unto said HUGH DUNNAHAW by a Nod from the Proprietors or the Northern Neck of Virginia, relation thereunto being had may more at large appear, which fifty acres of land more or less is bounded upon the Lands of NICHOLAS and SMITH and the Lands of JOHN BALEY, BENJAMIN WALSER and the Land formerly granted to FRANCIS CLAY upon a Swamp commonly called CROSS TAVERN opposite to and joyning with the Land of CHARNOCK COX, with all it rights members and appurtenances belonging; To have and to hold the messuage or tenement with all other the premises with appurtenances unto THOMAS SMITH his heirs; and HUGH DUNNAHAW for himself and his heirs the fifty acres of Land and all other the premises with appurtenances unto THOMAS SMITH and his heirs shall warrant and for ever defead by these presents freely and clearly acquitted of all manner of incumbrances; In Wittness whereof the parties to these presents have interchangeably sett theire hands and seals the day and year first above written
Signed Sealed and Delivered in the presence of
JAMES THOMAS, RICHARD COLEMAN, HUGH his mark DUNNAHAW
JAMES THOMAS JUNR.,
ROBT. his markt SMITH
WM: his mark SMITH

June ye 2d. 1732; Then received of THOMAS SMITH the sum of five shillings of good and lawful! money in full payment for this consideration within menconed; As Wittness my hand
JAMES THOMAS, HUGH his mark DUNNAHAW
RICHARD COLEMAN.
JAMES THOMAS JUNR.
Memorandum. That on the third day of June in the year of our Lord one thousand seven hundred and thirty two HUGH DUNNAHAW made livery and seizin of the land with appurtenances within mentioned by delivering Turff and Twigg at the ring of the Door of the Cheiff Mansion House on the lands unto THOMAS SMITH according to the form and effect of the within Deed
In presence of us ROBERT his mark SMITH
WILLIAM his mark SMITH
JAMES THOMAS, JUNR.
Westmorld. ss. At a Court held for the sd. County the 28th day of November 1732
This Deed of Feoffment of Land passed by HUGH DUNAHAW to THOMAS SMITH was proved in open Court by the Oaths of JAMES THOMAS, ROBERT SMITH and JAMES THOMAS, JUNR. three of the witnesses thereto: also the Livery of Seizin & Receipt for the consideration thereon endorsed were proved by the Oaths of the sd. ROBERT SMITH and JAMES THOMAS JUNR . all which at the instance of the sd. THOMAS SMITH are admitted to Record
Test G. TURBERVILE, C. C. W.
Recorded the Eigheenth day of January 1732, pr, G. T. C. C. W.
On margin: DUNNAHAW's Bond to SMITH
KNOW ALL MEN by these presents that I HUGH DUNNAHAW of Cople Parish in Westmorland County do owe and stand justly indebted unto THOMAS SMITH of the same Parish and County in the sum of Ten thousand pounds of good lawfull tobacco to the payment of which well and truely to be made I bind my self my heirs firmly by these presents; Sealed with my seale and Dated the Second day of June in the fifth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c., Annoq: Domini 1732
THE CONDITION of the above obligation is such that if the above bounden HUGH DUNNAHAW his heirs do well and truely observe and keep all Covenants and agreements which on his or their parts ought to be observed and kept comprised in one Indenture of Bargain and Sale between HUGH DUNNAHAW of one part and THOMAS SMITH of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of no effect else to stand and remain and be in full force power strength and virtue
===
WESTMORELAND COUNTY ORDER BOOK, 1718-1721; pg 9
Westmoreland County Court 13th day of November 1718
Judgment is granted NICHOLAS SMITH against JOYCE WILLIAMS, Admrx. of the goods and Chattels that were of HENRY WILLIAMS, deced. for the sum of seven hundred thirty and five pounds of tobacco due by bill ordered the said JOYCE do pay the same if assets remain after all former lawfull disbursements shall be satisfied together with costs alias exc

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WESTMORELAND COUNTY DEEDS & WILLS. 1740-1742: Pg 111-113

THIS INDENTURE made this Eighth day of May in the fourteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord one thousand seven hundred and fourty, Between SAMUEL MOORE and JANE his Wife and JOHN MARMADUKE and WENEFRED his Wife of Cople Parish and Westmoreland County of one part and JAMES BAILEY of the same Parish and County of other part; Wit- nesseth that SAMUEL MOOR and JOHN MARMADUKE in consideration of the sum of One thousand pounds of lawful tobacco to them in hand paid by JAMES BAILEY, the Receipt whereof SAMUEL MOOR and JOHN MARMADUKE doth hereby acknowledge themselves therewith satisfied; hath and by these presents cloth bargain and sell all that parcel of land containing Fifty acres be the same more or less lying in Parish and County aforesaid, being part of One hundred and fifty acres of land which NICHOLAS SMITH, deceased, left to he divided between his three Sons, NICHOLAS, PETER and JAMES, and NICHOLAS SMITH, Son of NICHOLAS SMITH deceased, sold his part of the land to JOHN LAMKIN by a Deed of Feoffment bearing date the fourth day of September in the year of our Lord one thousand seven hundred and thirty three, and after the decease of JOHN LAMKIN the land fell to his two Daughters. WINEFRED and JANE LAMKIN, who are since intermarried to JOHN MARMADUKE and SAMUEL MOOR, with all houses orchards profts and appurtenances to the same belonging. To have and to hold the Fifty acres of land and premises with appurtenances unto JAMES BAILEY his heirs; And SAMUEL MOOR and JOHN MARMADUKE for themselves their heirs &c. the premises unto JAMES BAILEY and his heirs against the claim of any person shall warrant and forever defend by these presents: In Witness whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written

Signed Sealed and Delivered in presence of

THOMAS MOOR, SAMUEL MOOR -----,

WILLIAM GROVE JANE her mark MOOR

JOHN MARMADUKE

WENEFRED MARMADUKE

Memorandum, That on the Eight day of May in the year of our Lord God one thousand seven hundred and fourty, SAML. MOORE and JOHN MARMADUKE made livery and seizen of the lands and appurtenances within mentioned by delivering Turff and Twigg and the Ring of the Door in the name of the whole land and appurtenances within sold according to the form and effect of the Deed. in presence of us

THOMAS MOOR, WILLIAM GROVE

Received of JAMES BAILEY the sum of One thousand pounds of lawful tobacco in full payment for the consideration within mentioned, Witness our hands this Eight day of May Anna Dom: 1740 JOHN MARMADUKE SAMUEL his mark MOOR

Westmoreland ss. At a Court held for the said County the 26th day of August 1740 JOHN MARMADUKE and WINIFRED his Wife and SAML. MOORE and JANE his Wife came into Court and the femes being first privately examined according to Law, they all personally acknowledged this Deed of Feoffment for land by them passed sold and conveyed unto JAMES BAILEY together with Livery of Seizen thereon endorsed to be their proper act and deed, and the said JOHN and SAMUEL also acknowledged the

Receipt for the consideration endorsed on the said Deed, also to be their proper act and deed, all which at the instance of the said BAILEY are admitted to Record
Recorded the Fourth day of September 1740
Teste GEORGE TURBERVILLE, C. W. C.
KNOW ALL MEN by these presents that we SAMUEL MOOR and JOHN MARMADUKE of Cople Parish and Westmoreland County do owe and stand justly indebted unto JAMES BAILEY of said Parish and County in the penal sum of Two thousand pounds of lawfull tobacco: to the which payment well and truly to be paid we bind our selves our heirs firmly by these presents, Sealed with our seals and dated the Eighth day of May in the fourteenth year of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland. King, Defender of the faith Annoq: Domini 1740
THE CONDITION of the above obligation is such that if the above bound SAMUEL MOOR and JOHN MARMADUKE their heirs do well and truly observe and keep all the Covenants which on their parts ought to be oberved and kept mentioned in an Indenture of Bargain and Sale made between SAMUEL MOOR and JOHN MARMADUKE of one part and JAMES BAILEY of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of none effect, otherwise to stand remain and be in full force power strength and virtue
Signed Sealed & delivered in presence of
THOMAS MOOR, SAML: MOOR
WILLIAM GROVE JOHN MARMADUKE
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 This Bond for performance of Covenants from JOHN MARMADUKE and SAMUEL MOOR to JAMES BAILEY was personally acknowledged in open Court by the said MARMADUKE and MOOR, and at the said BAILEYs instance admitted to Record
Recorded the Fourth day of September 1740
Test GEORGE TURBERVILLE, C. W. C.
===
CAVALIERS AND PIONEERS PATENT BOOK No. 5; Pg 478
ROBERT SMITH & NICH. SMITH, 225 acs., in the forest bet. Rappa. & Patomeck Rivs., beg. on a point bet. two branches of Nominy Riv. The sd. land being surveyed for John Ayres, by him assigned to sd. patentees & due for trans. of 5 pers.* 28 Jan. 1662, p. (202).

Father: Robert Smith b: 1599 in England
Mother: Anne MNU Smith b: AFT 1631

Marriage 1 Anne Bailey b: ABT 1662 in Northumberland County, Virginia

- *Married:* ABT 1678 in Westmoreland County, Virginia

Children

1. Peter Smith b: ABT 1678 in Westmoreland County, Virginia
2. Nicholas Smith b: ABT 1680 in Westmoreland County, Virginia

3. James Smith b: ABT 1682 in Westmoreland County, Virginia

Uses published works by: Jane B. Cotton, Bates, F. Edward Wright, Vernon L. Skinner, Elise Greenup Jourdan, Ralph D. Smith, Dorman, Newman, Helen W. Brown, Barnes, Edward C. Papenfuse, Lois Green Carr, Peden, Brumbaugh, Keddie, Doliante, W. N Hurley, Robert Hall, Scharf, Skordas, G.H.S. King, TLC, N.M. Nugent, Sparacio, Russell; Need Marshall's from the Northern Neck, VA Counties to take DNA tests. {R1a Haplogroup}: Need Professional Genealogy Services? Refer to http://genealogypro.com/fsaunders.html

children my negroes and other estate save 20 shillings to Margaret Anderson.

MIDDLETON, BENEDICT, 31 Dec. 1729; 29 March 1730.
Son Robert 100 acres of land & a tract of land where I live with houses etc and 1 negro man; to son Benedict 1 negro boy; carpenter's tools, 1 bed and furniture; to son William a negro man, a negro woman, feather bed and furniture; daughter Mary a negro girl, feather bed, furniture and trunk; daughter Elizabeth a negro boy, feather bed and furniture and trunk; to daughter Jane a negro boy, feather bed, furniture and trunk; one gold ring each (for which I have sent) to Elizabeth and Jane Middleton my daughters; rest of estate to be equally divided between my 3 sons and 3 daughters. Robert Middleton was granted administration with Daniel Bonahm and Samuel Damouvel securities.

SMITH, NICHOLAS, 23 July 1728; 25 Feb. 1730.
Lands between Nicholas, Peter and James the sons of the said Nicholas Smith; son John 1 shilling; ½ of my estate to be equally divided between my three sons and three daus.

BENNETT, JOHN, 21 Jan. 1729; 28 Oct. 1730.
Estate to wife Easter; granddau. Elizabeth Summers 1 shilling.

HARGIS, JOHN, 19 June 1730; 25 Nov. 1730.
Son John; daughters Mary and Milerett Hargis; brothers Roger Hargis and James Woring exrs; all estate to my children.

BINCKS, JOHN, 2 Feb. 1728; 24 Feb. 1730.
Sister Anne Green; wife Elizabeth; brother Thomas Bincks' children Mary and John.

MOTHERSHEAD, JOHN, 13 Nov. 1730; 26 May 1731.
Sons Nathaniel, George, Christopher and John; daus. Elizabeth Quisenberry; dau. Claytor; sons Olvin and George; grandson Brooks Mothershead; wife Elizabeth.

RUST, JEREMIAH, 7 Aug. 1731; 29 Sept. 1731.
Brother Peter land; son Samuel land in Northumberland and Westmoreland; son William the White Marsh Neck; wife Magdalene home plantation for life and then to son Jeremiah; daughters Hannah and Martha Rust 1 negro each; child my wife goes with 2 negroes.

BUTLER, WILLIAM, 20 April 1720; 29 Sept. 1731.
To son Price a negro man and 20 shillings; rest of my negroes to my daus.; cozen Thomas Butler suit of clothes; cozen James Butler a Dueroy coat; dau. Elizabeth 1000 lbs. of tobacco; dau. Mary 20 shillings; residue of estate to my wife and children.

ROBINSON, WILLIAM, 26 June 1731; 27 Oct. 1731.
Children William, Anne and Elizabeth to have my land; my wife; brother Michael Robinson and James Smith exr.

PEYTON, GERRARD, 27 Dec. 1687; 11 Jan. 1687.
To sister Elizabeth Hardidge all estate real and personal; my father in law Mr. William Hardidge of Nominy exr. (will recorded in Book VIII. page 46, which page has been lost).

ASHTON, HENRY, 26 Feb. 1730; 24 Nov. 1731.
My wife; dau. Grace Ashton 2200 acres of land; my granddaus. Elizabeth and Anne Aylett daus. of Capt. William Aylett and Anne his wife who was my dau. deceased, 400 acres of land; granddau. Elizabeth Turbeville 800 acres of land; son Henry my pistols, sword and hostler; son John; dau. Elizabeth Ashton 1000 acres of land in Stafford; cousin Burdett Ash-

WILLS

OF

Westmoreland County, Virginia

1654--1800

BY
AUGUSTA B. FOTHERGILL

APPEALS PRESS
1925

then this obligation to be void and of none effect, or else to stand, remain and be in full force power and virtue
Sealed and Delivered in the presence of
PHILIP ALEXANDER, JOHN WATTS, HENRY ASHTON
BURDITT ASHTON, EDWD. BARRADALL
Westmorld. ss. At a Court continued & held for the sd. County the 25th day of February 1730 HENRY ASHTON, Gent., personally acknowledged this Bond for performance of Covenants by him passed to GEORGE TURBERVILE, Gent., to be his proper act and deed which at the instance of the sd. TURBERVILE is admitted to Record
Test G. TURBERVILE, C.C.W.
Recorded the Sixteenth day of March 1730, G.T., C.C.W.

p. (On margin: NICHO: SMITH's Will)
149 IN THE NAME OF GOD, Amen. I NICKLIS SMITH of the Paresh of Cople and County of Westmarland being in parfet helth mamre and remembrence, do make conseute and apint this my Last Will and Testament in maner and fourme fouling;
Impramis. I commit my sole to God that gave it hoping that through the martious dath of Jesus Christ to recieve free pardon and forgivenes of all my sins and my body to be bered in Christien burell at the discretion of my futer creters hereafter nominateth and what was plesd. the Lord to lend me I give and bequeth in maner and forme foling, my date fulld payd.
Item. I give unto my Son NICKLIS SMITH, the halfe of all my Estate and my Land to my thre Sons, NICKLIS SMITH, PETER SMITH, JAMES SMITH, equelly to be devided amongst the three and the other half of Chatles and House goods to be equelly devided amongst all my Sons and Daghters, except my Son, JOHN SMITH.
Item. I leve him one Shilling. And I doe apint my loving Son, NICKLIS SMITH, Eaxcerter of this my Last Will and Testament. In Witness whereof I have hereunto sat my hand and seall this Twenty third daye of July 1728
THOMAS SMITH NICKLIS
JAMES BALY his M marke
SMITH
Item. I leve my Land to my thre Sons, NICKLIS SMITH, PETER SMITH and JAMES SMITH to them and there hars for Ever and if any die without hers his part to fall to the nax Eldes and if any desier to sall or part with his part, it shall be to ech other.
Item. I leve to my Son, JOHN SMITH, one shilling and no more
Westmorld. ss. At a Court continued & held for the sd. County the 25th day of February 1730 This Last Will and Testament of NICHOLAS SMITH, deced., was presented into Court by NICHOLAS SMITH, the Executor therein named, who made Oath thereto, and being proved by the Oaths of the witnesses thereto, is admitted to Record
Test G. TURBERVILE, C.C.W.
Recorded the Seventeenth day of March 1730, G.T., C.C.W.

pp. (On margin: HARRISON JUNR. Lease to HARRISON SENR.)
150- THIS INDENTURE made the Thurtyeth day of March in the fourth year of the
151 Reign of our Sovereign Lord George the Second of Great Britain France and Ireland, King, &c., and in the year of our Lord Christ one thousand seven hundred and Thurty one Between GEORGE HARRISON, JUNR., of the Parish of Cople and County of Westmorland of one part and GEORGE HARRISON SENR. of the Parish and County aforesd. of the other part. Witnesseth that GEORGE HARRISON, JUNR .in consideration of the sum of five shillings of lawfull money of Great Britain to him in hand paid by GEORGE HAR-

WD.DW-03/95

VIRGINIA COUNTY COURT RECORDS

DEED & WILL ABSTRACTS of WESTMORELAND COUNTY, VIRGINIA 1729-1732

This book is part of Westmoreland County Deed & Will Book 1723-1738.

Edited & Published by Ruth & Sam Sparacio
THE ANTIENT PRESS
1320 Mayflower Drive, McLean, Virginia 22101-3402
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Robert Smith

>> Print <<

♂ 1599 - 1661 (62 years)

Name	Robert Smith	
Born	1599	England
Gender	Male	
Died	26 Feb 1660/61	Northumberland County, Virginia - Probate
Person ID	I030333	Tree1
Last Modified	10 Aug 2018	

Father	Westmoreland Co. Virginia Smith	
Family ID	F16353	Group Sheet | Family Chart

Notes	○ Provincial Court Marriage Licenses (1638-1643); Maryland Contributed for use in USGenWeb Archives by Andrea K. Haga 23 November 1638 Robert Smith Rose Gilbert groom is a planter Rose Gilbert received license to marry Robert Smith Nov. 23, 1638 per Emigration Records by Skordas who quotes liber 1 p 133-134.
Children	1. John Smith, **b.** Abt 1641, Northumberland County, Virginia, **d.** Bef 1677, Westmoreland County, Virginia (Age ~ 35 years) 2. William Smith, **b.** 1644, Northumberland County, Virginia, **d.** 26 Nov 1707, Westmoreland County, Virginia - Probate (Age 63 years) 3. Richard Smith, **b.** Bef 1646, Northumberland County, Virginia, **d.** Bef 19 Nov 1679, Northumberland County, Virginia (Age < 33 years) 4. Elizabeth Smith, **b.** Aft 1646, Northumberland County, Virginia, **d.** Aft 1663, Northumberland County, Virginia (Age > 17 years) 5. Sarah Smith, **b.** Bef 1649, Northumberland County, Virginia
Last Modified	10 Aug 2018
Family ID	F18446 | Group Sheet | Family Chart

Family 2	Anne MNU Smith, **b.** Aft 1631, **d.** Aft 1679, Cecil County, Maryland (Age > 48 years)	
Married	Bef 1647	Kent County, Maryland
Children	1. Anne Smith, **b.** Aft 1647, Westmoreland County, Virginia, **d.** 1695, Westmoreland County, Virginia (Age < 46 years) 2. Robert Smith, **b.** Abt 1657, Kent County, Maryland, **d.** 1 Sep 1702, Westmoreland County, Virginia - Inventory (Age ~ 45 years) 3. Nicholas Smith, **b.** Abt 1658, Kent County, Maryland, **d.** 25 Feb 1730/31, Westmoreland County, Virginia - Probate (Age ~ 73 years)	
Last Modified	10 Aug 2018	
Family ID	F18453	Group Sheet | Family Chart

Notes	○ === 1658-1662 Deed & Will Book Northumberland Co Va; Antient Press: Pg 55 IN THE NAME OF GOD Amen. I ROBT. SMITH being sicke & weake but in p:fect sense & memory God be praised, in the first place I bequeath my Soule unto God that gave it mee and my body to the Earth; next I give unto my Sonne,. JOHN SMITH. the Devident of Land I now live on holy & soly to enjoy after the death of his Mother in Law, And my Wife, ANNE SMITH, to remaine upon the Plantacon now seated during her life time: Alsoe I give unto my Sonne, JOHN, a Gun & a Save, being already possessed therewith freely to

enjoy & the above menconed Land unto him & his eyres for ever; Alsoe I give unto my Sonne. WILLIAM SMITH his eyres One hundred akers of Land lying by the INDIAN TONE; alsoe I give unto my Sonne, WILLIAM, my great gunne & the pip mold with the furniture belonging unto them; Alsoe I hequeaf unto my Wife, ANN SMYTH, one Maid Servant ( ) one draught oxen, alsoe I give unto ( ) my three youngest Children the half of my Estate as Kattell & hoogs & howsel goods ( ) me the other halfe of my Estate & houshold ( ) to my Sonnes, JOHN & WILHAM, equally to be ( ) betweene them towe when they come of age ( ) more my Will is that my Sonne, WILHAM ( ) remaine & worke for his Mother until' hee is ( ) fourteene yeares of aige, alsoe my Will is that ( )AIRES Shall have as much Land as ( ) a Servant or two shall make (soe to doe. Furthermore ( ) JOHN AIRES & WINSAINT COKES ( ) Overseers unto this myWill, as ( ) this present day being ye seaventh ( ) 1660
( ) ROBERT SMITH
26th Febr: 1660. This Will was proved in Cort, by the Oathes of ( ) JOHN TUCKER & ordered by the ( ) SMITH be sworne before two Co.mrs, ( ) thereof & the Will is recorded
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 270
Northumberland County Court 26th of February 1660
- This day, the Last Will & Testamt, of ROBT: SMITH, deced., was proved in Court by the Oath of JOHN TUCKER, & ordered that PETER SMITH, a witnes to the sd. Will be sworne before two of the next Comrs. for further proofe thereof

===
http://wc.rootsweb.com/cgi-bin/igm.cgi?op=GET&db=christos&id=I13835

Robert made his Will the 7th ____1658-1660?? and it was proven 26 February 1660/1. He named "sonne, John, sonne Wilham, one hundred akers of Land lying by the Indian Tone [town]; alsoe I give unto my Sonne, Wilham, my great gunne & the pip mold with the furniture belonging unto them; wife Anne Smyth,... my three youngest children the half of my Estate ..the other halfe of my Estate to my Jonnes, John & Wilham, when they come of age..Sonne Wilham remaine & worke for his Mother untill he is fourteene yeares of aige..Aires shall have as much Land as ...[and] a servant or two shall make ..soe to doe. Furthermore
John Ayres & Winsaint Cokes [Vincent Cox] overseers". John Tucker, by oath, proved the Will.
On the same date Anne Smith, his widow, confirmed unto Thomas {W}Roe a "parcell of land" lying in Chotanck Creeke against John Hull, sold by Robert Smith to William Cornish and from Cornish to {W}Roe.
(Note: If Robert's son, William Smith, born in 1644 by his own deposition, were not yet 14 years of age when Robert made his Will, then this Will was drawn before 1658 not 1660.)

Deed of 1679 said Anne Smith now Pullen had right of land during life. Anne was the widow of Robert Smyth.

In the case between Robert and Nicholas Smith orphans and Henry Owen and Thomas Moore the court doth order that what land Henry Owen and Moore do possess that is within the bounds of Robert and Nicholas Smith patent, that Owen and Moore do deliver quiet possession to the orphans. p. 131 Aug 28, 1678 Westmoreland Co.

===
1650-1652 Deed-Will Book Northumberland Co Va; Antient Press: Pg 43
Att a Court houlden att CHICKECON the 24th May 1650
These are to certifie that accordinge to sufficient proofe made before us there is due unto ROBERT SMITH Fifty acres of Land for ye transportacon of his Wife into this Colony
===
1650-1652 Deed-Will Book Northumberland Co Va; Antient Press: Pg 74
At a Court held for the County of Northumberland the 22th of Aprill 1652
Wee whose names are subscribed doe promise & ingage our selves to be true & faith full to the Comonwealth of England as it is now established without KING or HOUSE of LORDES

ROBERT SMITH
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
Robert Smith his mark
Know all men by these presents that Robert Smith in the County of Northumberland doth give for his mark of hogs and cattle A crop on the under side of the right ear and half a crop on the upperside of the left ear. 20th July 1654 this mark was recorded
===
1658-1662 Deed & Will Book Northumberland Co Va; Antient Press: Pg 15

NOW ALL MEN by these pr:sents that I WM: CORNISH doe for my selfe my heires for a valuable consideracon already reced., have bargained & sold, & doe by these pr:sents bargaine and sell unto ROBERT SMITH his heires Exrs. Admrs. & assignes one black Cove called by the name of Broad Hornes, cropt & slitt in the left eare & under keeled on the right eare, and one yearling heyfer cropt & slitt in the right care & cutt over & under the left eare, and further bind my selfe my heires that ye sd. SMITH shall peaceably & quietly enjoy the aforesd. with their whole increase without any trouble of any p:sons whatsoever; to him and his heires for ever; As Witnes my hand this 20th of ( ) 1658
Witnes JOHN HULL, WM: CORNISH his marke
ANDREW COCKERIN his marke
( ) January 1658, This Bill of Sale was acknowledged in Court by WM. CORNISH unto ROBT. SMITH & is recorded
===
1658-1662 Deed & Will Book Northumberland Co Va; Antient Press: Pg 17
TO ALL TO WHOME these pr:sents shall come, I ROBT. NEWMAN of the County of Northumberland send Greeting in our Lord God everlasting; Knave pee that I the sd, ROBT. NEWMAN for diverse good & valuable consideracons to me already satisfied & paid & wherewith I hold my selfe amplie & fully contented, have bargained sold & made sale of and doe by these pr:sents sell of from mee my heires Ear. Admrs. & assignes unto ROBT. SMYTH of the aforesd. County & to his heires forever all that tract & Neck of Land lying agt. ye Land ( ) Begining at a point which ( ) comonly is called ( ) PLACE agt. the LANDING PLACE of ye sd. JNO: HULL extending Westerly into the Woods ( ) unto the ( ) Branch wch: runneth into a Creeke ( ) that devideth ( ) from the Land of THOMAS HAYLES and THOMAS ( ) & from the head of the sd. Branch extending Southerly upon a line of marked trees unto a small Branch wch: runneth into CHOTANCK CREEKE & down the sd, Branch Easterly into the sd. CHOTANCK then dowse the sd. Creeke Northeasterly into the point or LANDING PLACE where it first began; wch: sd, tract of land being in estimacon Fifty acres or thereabouts be it more or Jesse, together with all appurtenances and hereditaments thereon or thereunto belonging, I the sd. ROBT. NEWMAN doe for my selfe my heires sell & make sale of unto the sd. ROBT. SMYTH & to his heires & assignes forever; to use as his or their own ppr: goods &Estate; further grnt sd, ROBT: SMYTH & his assignes all immunities of regresse & egresse for any his or their stocks or flocks upon the sd. Fifty acres ( ) that as freely as ever I might have done ( ) Grand Pattent, And I the sd, ROBT. NEWMAN my heires unto the sd, ROBT, SMYTH his heires agt any p:sons that make any claims ( ) lawfully demanded satisfie & pay ( ) for theholding of the sd. Fifty acres ( ), I the said ROBERT NEWMAN have hereunto sett my hand and scale the ( ) 1652
Signum ROBERT NEWMAN ye Seale
ELIZ: NEWMAN Sig.
( ). This Sale of Land from ROBT. NEWMAN to ROBT: SMYTH vas acknowledged in Court by Mr. WM: ( ) of the Last Will & Testamt, of the said ( ) for soe Farr forth as the sd, Mr. PRESLY hath ( ) thereunto; And the sd. Sale is recorded March the 21th 1658
I ROBT. SMITH doe for my selfe my heires & assignes assigne over all my right title & interest of this Writeing unto WILLIAM CORNISH his heires Exrs, & assignes as witnes my hand this 20th day of January 1658
Witnes; JOHN HULL, ROBERT SMITH
ANDREW CORBERILL his marke
20th January 1658. This Assignemt was acknowledged in Cort. by ROBT. SMITH unto WM. CORNISH and is recorded March the 21st 1658.
I WILL: CORNISH doe assigne over all my right title & interest of this Conveyance of Land unto JNO: RAVEN; And in case of the non payment of the tobco: for the sd. Land, I the sd. WM. CORNISH to reenter the sd. Land againe; As Witnes my hand this 21th of March 1658
Witnes: HENRY CLARKE WM; W CORNISH
21 Mail 1658 This Assignemt, was acknowledged in Court by the sd, WM. CORNISH unto JNO: RAVEN and is recorded
The Conveyance of this Land is recorded in the present Leafe being originally granted from ROBT. NEWMAN to ROBT. SMITH and him assigned to WM. CORNISH
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 246
Northumberland County Court 21st of May 1660
- The Court doth order, nominate and appoint ROBT: SMITH to bee Constable for YEOCOMOCO:
===
1662-1665 Order Book Northumberland Co Va; Antient Press: Pg 277
Northumberland County Court 5th of June 1661
- Upon the peticon of JNO: AIRES. whoe married with the Widdow & Relict of ROBERT SMITH. deced,, it is ordered that a Commission of Admcon. be granted unto him of the Estate of the sd. ROBERT SMITH, hee pr:senting an Invy: thereof to the Court & put in security for the same
===
1662-1665 Order Book Northumberland Co Va; Antient Press: Pg 350

Northumberland County Court 20th of April 1663
- Upon the peticon of JNO; SMITH, the Sonne of ROBERT SMITH, deced., it is ordered that ANNE AIRES, the Widdow and Relict of JNO: AIRES, deced., whoe was Relict of the sd. ROBERT SMITH, haveing an Estate of Cattell belonginge unto the sd. JNO: in her possession; It is ordered that the sd. ANNE AIRES shall forthwith deliver all the sd. Cattell into the custody & possession of the sd. JOHN SMITH, hee beinge at lawful yeares capable to receive them
===
1662-1666 Deed & Will Book Northumberland Co Va; Antient Press: Pg 119
To all &c,, Whereas &c., Now know yee that I the sd. Sr. WILLIAM BERKELEY Knt, &c., give & grant & confirme unto ROBERT SMYTH Two hundred & fifty acres of Land scituate & being in the County of Northumberland abutting Southeast upon YEOACOMOCO RIVER, Southwest upon the land of ROGER PULLIN, Northeast & Northwest upon the maine woods, the sd: Two hundred & fifty acres of land, Two hundred acres thereof being granted unto him the sd. ROBT. SMYTH by Assignement from JOHN FEILD, & the other fifty acres of the sd: land being granted unto him, the sd: ROBT. SMYTH, by & for the transportacon of one p:son into this Collony all whose names are in the Records menconed under this Pattent; To have & to hold &c., Dated the 28th of October 1651 WILLIAM BERKELEY
KNOWE ALL MEN by these pr:sents that I JOHN SMITH, ye Sonne & heire of ROBERT SMITH, late of Northumberland County in Virginia, deced., for a good & valuable consideracon have sold unto SUTTON QEENY all my right of this Pattent & the two hundred & fifty acres of land therein men coned together with ye ( ) Will & Testament of my deced: Father, ROBT: SMITH, to mee & my heires for ever as by ( ) bearing date the seaventh day of January ( ) recorded in the Records for Northumberland County ( ) at large may & will appeare; To have & to hold the sd. Two hundred & fifty acres of land unto him the sd. 'SUTTON QWEENY his heires & assignes for ever with ( ) against all p:sons that shall make demand under mee myheires or assignes and I the sd; JOHN SMITH doe for my selfe my heires to acknowledge this bargains & sale in Northumberland County Court on demand; In Witness whereof I have hereunto sett my hand & seale this thirteenth day of February 1663
Sealed & delivered in the presence of
RI: FLYNT, JOHN SMITH his marke, ye Seale
JA; GAYLARD
March the 8th 1663. This Bargaine & Sale was acknowledged in Northumberland County Court by the sd, JOHN SMITH & is recorded with the Pattent
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 174
[17 Dec. 1679]
Wm. Smith vs. Robt. Smith. Referd to a Jury. We find that Wm: Smith hath right to the, divident of land as heire to his brother Jno: Smith, only reserveing the plantation now seated. to Anne Smith alias Pullin duering her life according to the will of Robt: Smith. Judgment is granted.
Robt: Smith appeales to the 4th day, of the next Generall Court. Mr. Jno: Newton assumed security with Robt: Smith to prosecute. And:: Reade assumed security with Wm: Smith to answer appeale.
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 70
25 June 1678: Mr. Wm. Horton hath judgment against the orphants of Rob: Smith for two jourines and surveighing the land in difference between him and Owen and More, 1000 pounds of tobacco
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 79
11 Dec. 1678: It doth appeare to this Court that the guardian to the orphants of Robert Smith stands indebted unto Mr. William Horton 1000 pounds of tobacco for 2 journeys and surveighing the land in difference between the orphants and Morre and Owen. The Court doth order that the guardian make payment of 1000 pounds of tobacco.
===
Westmoreland County, Virginia Deeds and Wills N2, 1691-1699" by John Frederick Dorman , p 7
Pages 13-13a 10-10-1691 Robert Smith of Cople Parish, Westmoreland County, Virginia, to Wm Smith of same, planter. for 4000 pounds of tobacco and in performance of award made by Honorable Richard Lee and Colonel Isaac Allerton, Esq, arbitrators appointed by the last General Court of VA.
All interest I may have in a deed of gift or grant, 10-30-1688, of one Sutton Queeny of Calvert County, Maryland, carpenter to Robert Smith....formerly pattened by Robert Smith (father of afresaid William and Robert Smith), deceased, 10-25-1651, in Northhumberland Co, now situated in Westmoreland Co, southeast upon Youcomoco River, SW upon the land of Roger Pallin, NE and SW upon the main woods.
sig: Robert (x) Smith WIT: Henry Maunders, James Ellis
Robert Smith of Cople Parish, planter, to William Smith of same, planter. All accounts, caused and suits, bills, bonds, recoginance accounts, sums of money, debts, controversys, trespasses, and demands whatsever against the said Wm. Smith I ever had, now have or my heirs hereafter may have for any reason.
Sig: Robert (x)Smith Witness: Henry Maunders, James, Ellis

===
228 CAVALIERS AND PIONEERS PATENT BOOK No. 3
WILLIAM WALKER, 639 acs. Northumberland Co., 19 Oct. 1653, P. 1. Abutting S. E. upon Yeocomico Riv. & S. W. upon land of Robert Smith, etc. Trans. of 13 pers: Edmd. Peters, Jon. Stubberd, Jon. Haman, Tho. Burbadge, Tho. Placenett, Peircey Hamon, Modlin Burford, Wm. Wood, Wm. Finch, Susan Collins, Eliz. Smith, Geo. Court. Note: "36 acres the overplus is in Jarnew's Pat."
===
CAVALIERS AND PIONEERS PATENT BOOK No. 3; pg 235
JOHN SHAKLY Northumberland Co., 13 Oct. 1653, p. 14. On the N. W. side & towards head of Yeocomico Riv., bounding S. E. upon land of Robert Smith and one Pullen, dec'd., N. E. upon land of Richard Holding & S. W. upon land of Peter Knight (dec by 1674 Bk 6 p147 Cav &)
===
CAVALIERS AND PIONEERS PATENT BOOK No. 4; Pg 357
JOHN SMITH & & WM. SMITH, the sons of Robert Smith of Yeocomocoe, 500 acs on S. W. side of Aquaconde Riv. the W. branch of Patomacke Riv., N. Wly. upon land called Robert Lamden's. 25 Sept. 1657, p. 14l, (207). Trans. of 10 pers: Mathew Hill, Ann Smith, Sarah Smith, Rose Gilbert, Jno. Clare, Wm. Stratford, Mary Strattford, Allice Rogers, Ralph Lee, Su. Lee.
===
CAVALIERS AND PIONEERS PATENT BOOK No. 4; Pg 400
VINCENT COX, 346 acs. Northumberland Co., 20 Oct. 1661, p. 314,
(1). On N. side of little Wiccocomico, beg. on line of trees dividing this from land of Robt. Smith, S.E. &c. to trees dividing this & land of Robt. Bennett, son of Jno. Bennett, decd. Trans. of 7 pers: Wm. Jones, Thomas Cooper, Mary Coop(er ?), Wm. Peterson, Peter Stewart, Wm. Stephens, Wm. Stow.
===
CAVALIERS AND PIONEERS PATENT BOOK No. 5; Pg 467
EDWARD ROE, 150 acs. Lancaster Co., 2 Dec. 1663, p. 226, (136). Beg. on the head of branches of the beaver damms that issue out of Peanketanke Riv., running N.W. along Chesecake path towards Matchapungo, thence S. W. towards marked trees of Col. Robt. Smith. Trans. of 3 pers: Ann Stephens, Wm. Phenix, Mary Corbett.
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=4&last=&g_p=P3&coll ection=LO Patent
Title Walker, William.
Publication 19 October 1653.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Northumberland County.
Description: 639 acres S. Et. on Yeacomico River adjoining land of Robert Smith.
Source: Land Office Patents No. 3, 1652-1655, p. 4 (Reel 2).

Return to normal view

Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties

Entries: 105030 **Updated:** 2015-06-22 20:45:23 UTC (Mon)

Contact: Mike mrmarsha2004@yahoo.com

This site attempts to reconstruct a family tree of early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties along the Potomac and Rappahannock River Valleys; >>

- *ID:* I030334
- *Name:* **Robert Smith**
- *Sex:* M
- *Birth:* 1599 in England
- *Death:* 26 FEB 1660/61 in Northumberland County, Virginia - Probate
- *Note:*

===
1658-1662 Deed & Will Book Northumberland Co Va; Antient Press: Pg 55
IN THE NAME OF GOD Amen. I ROBT. SMITH being sicke & weake but in p:fect sense & memory God be praised, in the first place I bequeath my Soule unto God that gave it mee and my body to the Earth; next I give unto my Sonne,. JOHN SMITH. the Devident of Land I now live on holy & soly to enjoy after the death of his Mother in Law, And my Wife, ANNE SMITH, to remaine upon the Plantacon now seated during her life time: Alsoe I give unto my Sonne, JOHN, a Gun & a Save, being already possessed therewith freely to enjoy & the above menconed Land unto him & his eyres for ever; Alsoe I give unto my Sonne. WILLIAM SMITH his eyres One hundred akers of Land lying by the INDIAN TONE; alsoe I give unto my Sonne, WILLIAM, my great gunne & the pip mold with the furniture belonging unto them; Alsoe I hequeaf unto my Wife, ANN SMYTH, one Maid Servant ( ) one draught oxen, alsoe I give unto ( ) my three youngest Children the half of my Estate as Kattell & hoogs & howsel goods ( ) me the other halfe of my Estate & houshold ( ) to my Sonnes, JOHN & WILHAM, equally to be ( ) betweene them towe when they come of age ( ) more my Will is that my Sonne, WILHAM ( ) remaine & worke for his Mother until' hee is ( ) fourteene yeares of aige, alsoe my Will is that ( )AIRES Shall have as much Land as ( ) a Servant or two shall make (soe to doe. Furthermore ( ) JOHN AIRES & WINSAINT COKES ( ) Overseers unto this myWill, as ( ) this present day being ye seaventh ( ) 1660
( ) ROBERT SMITH
26th Febr: 1660. This Will was proved in Cort, by the Oathes of ( ) JOHN TUCKER & ordered by the ( ) SMITH be sworne before two Co.mrs, ( ) thereof & the Will is recorded
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 270

Northumberland County Court 26th of February 1660
- This day, the Last Will & Testamt, of ROBT: SMITH, deced., was proved in Court by the Oath of JOHN TUCKER, & ordered that PETER SMITH, a witnes to the sd. Will be sworne before two of the next Comrs. for further proofe thereof

===
http://wc.rootsweb.com/cgi-bin/igm.cgi?op=GET&db=christos&id=I13835

Robert made his Will the 7th ____1658-1660?? and it was proven 26 February 1660/1. He named "sonne, John, sonne Wilham, one hundred akers of Land lying by the Indian Tone [town]; alsoe I give unto my Sonne, Wilham, my great gunne & the pip mold with the furniture belonging unto them; wife Anne Smyth,... my three youngest children the half of my Estate ..the other halfe of my Estate to my Jonnes, John & Wilham, when they come of age..Sonne Wilham remaine & worke for his Mother untill he is fourteene yeares of aige..Aires shall have as much Land as ...[and] a servant or two shall make ..soe to doe. Furthermore
John Ayres & Winsaint Cokes [Vincent Cox] overseers". John Tucker, by oath, proved the Will.
On the same date Anne Smith, his widow, confirmed unto Thomas {W}Roe a "parcell of land" lying in Chotanck Creeke against John Hull, sold by Robert Smith to William Cornish and from Cornish to {W}Roe. (Note: If Robert's son, William Smith, born in 1644 by his own deposition, were not yet 14 years of age when Robert made his Will, then this Will was drawn before 1658 not 1660.)

Deed of 1679 said Anne Smith now Pullen had right of land during life. Anne was the widow of Robert Smyth.

Robert Smyth transported in 1633-4 ABH p. 37. He married Rose Gilbert widow of Richard Gilbert. He received a license to marry Rose Gilbert 4 p. 193

In the case between Robert and Nicholas Smith orphans and Henry Owen and Thomas Moore the court doth order that what land Henry Owen and Moore do possess that is within the bounds of Robert and Nicholas Smith patent, that Owen and Moore do deliver quiet possession to the orphans. p. 131 Aug 28, 1678 Westmoreland Co.

===
1650-1652 Deed-Will Book Northumberland Co Va; Antient Press: Pg 43
Att a Court houlden att CHICKECON the 24th May 1650
These are to certifie that accordinge to sufficient proofe made before us there is due unto ROBERT SMITH Fifty acres of Land for ye transportacon of his Wife into this Colony
===
1650-1652 Deed-Will Book Northumberland Co Va; Antient Press: Pg 74
At a Court held for the County of Northumberland the 22th of Aprill 1652
Wee whose names are subscribed doe promise & ingage our selves to be true & faith full to the Comonwealth of England as it is now established without KING or HOUSE of LORDES

ROBERT SMITH
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
Robert Smith his mark
Know all men by these presents that Robert Smith in the County of Northumberland doth give for his mark of hogs and cattle A crop on the under side of the right ear and half a crop on the upperside of the left ear.
20th July 1654 this mark was recorded
===
1658-1662 Deed & Will Book Northumberland Co Va; Antient Press: Pg 15
NOW ALL MEN by these pr:sents that I WM: CORNISH doe for my selfe my heires for a valuable consideracon already reced., have bargained & sold, & doe by these pr:sents bargaine and sell unto ROBERT SMITH his heires Exrs. Admrs. & assignes one black Cove called by the name of Broad Hornes, cropt & slitt in the left eare & under keeled on the right eare, and one yearling heyfer cropt & slitt in the right care & cutt over & under the left eare, and further bind my selfe my heires that ye sd. SMITH shall peaceably & quietly enjoy the aforesd. with their whole increase without any trouble of any p:sons whatsoever; to him and his heires for ever; As Witnes my hand this 20th of ( ) 1658
Witnes JOHN HULL, WM: CORNISH his marke
ANDREW COCKERIN his marke
( ) January 1658, This Bill of Sale was acknowledged in Court by WM. CORNISH unto ROBT. SMITH & is recorded
===
1658-1662 Deed & Will Book Northumberland Co Va; Antient Press: Pg 17
TO ALL TO WHOME these pr:sents shall come, I ROBT. NEWMAN of the County of Northumberland send Greeting in our Lord God everlasting; Knave pee that I the sd, ROBT. NEWMAN for diverse good & valuable consideracons to me already satisfied & paid & wherewith I hold my selfe amplie & fully contented, have bargained sold & made sale of and doe by these pr:sents sell of from mee my heires Ear. Admrs. & assignes unto ROBT. SMYTH of the aforesd. County & to his heires forever all that tract & Neck of Land lying agt. ye Land ( ) Begining at a point which ( ) comonly is called ( ) PLACE agt. the LANDING PLACE of ye sd. JNO: HULL extending Westerly into the Woods ( ) unto the ( ) Branch wch: runneth into a Creeke ( ) that devideth ( ) from the Land of THOMAS HAYLES and THOMAS ( ) & from the head of the sd. Branch extending Southerly upon a line of marked trees unto a small Branch wch: runneth into CHOTANCK CREEKE & down the sd, Branch Easterly into the sd. CHOTANCK then dowse the sd. Creeke Northeasterly into the point or LANDING PLACE where it first began; wch: sd, tract of land being in estimacon Fifty acres or thereabouts be it more or Jesse, together with all appurtenances and hereditaments thereon or thereunto belonging, I the sd. ROBT. NEWMAN doe for my selfe my heires sell & make sale of unto the sd. ROBT. SMYTH & to his heires & assignes forever; to use as his or their own ppr: goods &Estate; further grnt sd, ROBT: SMYTH & his assignes all immunities of regresse & egresse for any his or their stocks or flocks upon the sd. Fifty acres ( ) that as freely as ever I might have done ( ) Grand Pattent, And I the sd, ROBT. NEWMAN my heires unto the sd, ROBT, SMYTH his heires agt any p:sons that make any claims ( ) lawfully demanded satisfie & pay ( ) for

theholding of the sd. Fifty acres ( ), I the said ROBERT NEWMAN have hereunto sett my hand and scale the ( ) 1652
Signum ROBERT NEWMAN ye Seale
ELIZ: NEWMAN Sig.
( ). This Sale of Land from ROBT. NEWMAN to ROBT: SMYTH vas acknowledged in Court by Mr. WM: ( ) of the Last Will & Testamt, of the said ( ) for soe Farr forth as the sd, Mr. PRESLY hath ( ) thereunto; And the sd. Sale is recorded March the 21th 1658
I ROBT. SMITH doe for my selfe my heires & assignes assigne over all my right title & interest of this Writeing unto WILLIAM CORNISH his heires Exrs, & assignes as witnes my hand this 20th day of January 1658
Witnes; JOHN HULL, ROBERT SMITH
ANDREW CORBERILL his marke
20th January 1658. This Assignemt was acknowledged in Cort. by ROBT. SMITH unto WM. CORNISH and is recorded March the 21st 1658.
I WILL: CORNISH doe assigne over all my right title & interest of this Conveyance of Land unto JNO: RAVEN; And in case of the non payment of the tobco: for the sd. Land, I the sd. WM. CORNISH to reenter the sd. Land againe; As Witnes my hand this 21th of March 1658
Witnes: HENRY CLARKE WM; W CORNISH
21 Mail 1658 This Assignemt, was acknowledged in Court by the sd, WM. CORNISH unto JNO: RAVEN and is recorded
The Conveyance of this Land is recorded in the present Leafe being originally granted from ROBT. NEWMAN to ROBT. SMITH and him assigned to WM. CORNISH
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 246
Northumberland County Court 21st of May 1660
- The Court doth order, nominate and appoint ROBT: SMITH to bee Constable for YEOCOMOCO:
===
1662-1665 Order Book Northumberland Co Va; Antient Press: Pg 277
Northumberland County Court 5th of June 1661
- Upon the peticon of JNO: AIRES. whoe married with the Widdow & Relict of ROBERT SMITH. deced,, it is ordered that a Commission of Admcon. be granted unto him of the Estate of the sd. ROBERT SMITH, hee pr:senting an Invy: thereof to the Court & put in security for the same
===
1662-1665 Order Book Northumberland Co Va; Antient Press: Pg 350
Northumberland County Court 20th of April 1663
- Upon the peticon of JNO; SMITH, the Sonne of ROBERT SMITH, deced., it is ordered that ANNE AIRES, the Widdow and Relict of JNO: AIRES, deced., whoe was Relict of the sd. ROBERT SMITH, haveing an Estate of Cattell belonginge unto the sd. JNO: in her possession; It is ordered that the sd. ANNE AIRES shall forthwith deliver all the sd. Cattell into the custody & possession of the sd. JOHN SMITH, hee beinge at lawful yeares capable to receive them
===
1662-1666 Deed & Will Book Northumberland Co Va; Antient Press: Pg 119

To all &c,, Whereas &c., Now know yee that I the sd. Sr. WILLIAM BERKELEY Knt, &c., give & grant & confirme unto ROBERT SMYTH Two hundred & fifty acres of Land scituate & being in the County of Northumberland abutting Southeast upon YEOACOMOCO RIVER, Southwest upon the land of ROGER PULLIN, Northeast & Northwest upon the maine woods, the sd: Two hundred & fifty acres of land, Two hundred acres thereof being granted unto him the sd. ROBT. SMYTH by Assignement from JOHN FEILD, & the other fifty acres of the sd: land being granted unto him, the sd: ROBT. SMYTH, by & for the transportacon of one p:son into this Collony all whose names are in the Records menconed under this Pattent; To have & to hold &c., Dated the 28th of October 1651 WILLIAM BERKELEY
KNOWE ALL MEN by these pr:sents that I JOHN SMITH, ye Sonne & heire of ROBERT SMITH, late of Northumberland County in Virginia, deced., for a good & valuable consideracon have sold unto SUTTON QEENY all my right of this Pattent & the two hundred & fifty acres of land therein men coned together with ye ( ) Will & Testament of my deced: Father, ROBT: SMITH, to mee & my heires for ever as by ( ) bearing date the seaventh day of January ( ) recorded in the Records for Northumberland County ( ) at large may & will appeare; To have & to hold the sd. Two hundred & fifty acres of land unto him the sd. 'SUTTON QWEENY his heires & assignes for ever with ( ) against all p:sons that shall make demand under mee myheires or assignes and I the sd; JOHN SMITH doe for my selfe my heires to acknowledge this bargains & sale in Northumberland County Court on demand; In Witness whereof I have hereunto sett my hand & seale this thirteenth day of February 1663
Sealed & delivered in the presence of
RI: FLYNT, JOHN SMITH his marke, ye Seale
JA; GAYLARD
March the 8th 1663. This Bargaine & Sale was acknowledged in Northumberland County Court by the sd, JOHN SMITH & is recorded with the Pattent
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 174 [17 Dec. 1679]
Wm. Smith vs. Robt. Smith. Referd to a Jury. We find that Wm: Smith hath right to the, divident of land as heire to his brother Jno: Smith, only reserveing the plantation now seated. to Anne Smith alias Pullin duering her life according to the will of Robt: Smith. Judgment is granted.
Robt: Smith appeales to the 4th day, of the next Generall Court. Mr. Jno: Newton assumed security with Robt: Smith to prosecute. And:: Reade assumed security with Wm: Smith to answer appeale.
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 70
25 June 1678: Mr. Wm. Horton hath judgment against the orphants of Rob: Smith for two jourines and surveighing the land in difference between him and Owen and More, 1000 pounds of tobacco
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 79

11 Dec. 1678: It doth appeare to this Court that the guardian to the orphants of Robert Smith stands indebted unto Mr. William Horton 1000 pounds of tobacco for 2 journeys and surveighing the land in difference between the orphants and Morre and Owen. The Court doth order that the guardian make payment of 1000 pounds of tobacco.

===

Westmoreland County, Virginia Deeds and Wills N2, 1691-1699" by John Frederick Dorman , p 7

Pages 13-13a 10-10-1691 Robert Smith of Cople Parish, Westmoreland County, Virginia, to Wm Smith of same, planter. for 4000 pounds of tobacco and in performance of award made by Honorable Richard Lee and Colonel Isaac Allerton, Esq, arbitrators appointed by the last General Court of VA.

All interest I may have in a deed of gift or grant, 10-30-1688, of one Sutton Queeny of Calvert County, Maryland, carpenter to Robert Smith....formerly pattened by Robert Smith (father of afresaid William and Robert Smith), deceased, 10-25-1651, in Northhumberland Co, now situated in Westmoreland Co, southeast upon Youcomoco River, SW upon the land of Roger Pallin, NE and SW upon the main woods. sig: Robert (x) Smith WIT: Henry Maunders, James Ellis

Robert Smith of Cople Parish, planter, to William Smith of same, planter. All accounts, caused and suits, bills, bonds, recoginance accounts, sums of money, debts, controversys, trespasses, and demands whatsever against the said Wm. Smith I ever had, now have or my heirs hereafter may have for any reason.

Sig: Robert (x)Smith Witness: Henry Maunders, James, Ellis

===

228 CAVALIERS AND PIONEERS PATENT BOOK No. 3

WILLIAM WALKER, 639 acs. Northumberland Co., 19 Oct. 1653, P. 1. Abutting S. E. upon Yeocomico Riv. & S. W. upon land of Robert Smith, etc. Trans. of 13 pers: Edmd. Peters, Jon. Stubberd, Jon. Haman, Tho. Burbadge, Tho. Placenett, Peircey Hamon, Modlin Burford, Wm. Wood, Wm. Finch, Susan Collins, Eliz. Smith, Geo. Court. Note: "36 acres the overplus is in Jarnew's Pat."

===

CAVALIERS AND PIONEERS PATENT BOOK No. 3; pg 235

JOHN SHAKLY Northumberland Co., 13 Oct. 1653, p. 14. On the N. W. side & towards head of Yeocomico Riv., bounding S. E. upon land of Robert Smith and one Pullen, dec'd., N. E. upon land of Richard Holding & S. W. upon land of Peter Knight (dec by 1674 Bk 6 p147 Cav &)

===

CAVALIERS AND PIONEERS PATENT BOOK No. 4; Pg 357

JOHN SMITH & & WM. SMITH, the sons of Robert Smith of Yeocomocoe, 500 acs on S. W. side of Aquaconde Riv. the W. branch of Patomacke Riv., N. Wly. upon land called Robert Lamden's. 25 Sept. 1657, p. 14I, (207). Trans. of 10 pers: Mathew Hill, Ann Smith, Sarah Smith, Rose Gilbert, Jno. Clare, Wm. Stratford, Mary Strattford, Allice Rogers, Ralph Lee, Su. Lee.

===

CAVALIERS AND PIONEERS PATENT BOOK No. 4; Pg 400

VINCENT COX, 346 acs. Northumberland Co., 20 Oct. 1661, p. 314,

(1). On N. side of little Wiccocomico, beg. on line of trees dividing this from land of

Robt. Smith, S.E. &c. to trees dividing this & land of Robt. Bennett, son of Jno. Bennett, decd. Trans. of 7 pers: Wm. Jones, Thomas Cooper, Mary Coop(er ?), Wm. Peterson, Peter Stewart, Wm. Stephens, Wm. Stow.
===
CAVALIERS AND PIONEERS PATENT BOOK No. 5; Pg 467
EDWARD ROE, 150 acs. Lancaster Co., 2 Dec. 1663, p. 226, (136). Beg. on the head of branches of the beaver damms that issue out of Peanketanke Riv., running N.W. along Chesecake path towards Matchapungo, thence S. W. towards marked trees of Col. Robt. Smith. Trans. of 3 pers: Ann Stephens, Wm. Phenix, Mary Corbett.
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=4&last=&g_p=P3&collection=LO Patent
Title Walker, William.
Publication 19 October 1653.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Northumberland County.
Description: 639 acres S. Et. on Yeacomico River adjoining land of Robert Smith.
Source: Land Office Patents No. 3, 1652-1655, p. 4 (Reel 2).

Father: Westmoreland Co. Virginia Smith

Marriage 1 Rose Gilbert b: BEF 1622 in England

- *Married:* 23 NOV 1638 in Kent County, Maryland
- *Note:*

  Provincial Court Marriage Licenses (1638-1643); Maryland
  Contributed for use in USGenWeb Archives by Andrea K. Haga <eaohaga@swbell dot net>

  23 November 1638 Robert Smith Rose Gilbert groom is a planter
  Rose Gilbert received license to marry Robert Smith Nov. 23, 1638 per Emigration Records by Skordas who quotes liber 1 p 133-134.

Children

1. John Smith b: ABT 1641 in Kent County, Maryland
2. William Smith b: 1644 in Kent County, Maryland
3. Richard Smith b: BEF 1646 in Kent Island, Maryland
4. Elizabeth Smith b: AFT 1646 in Kent Island, Maryland
5. Sarah Smith b: BEF 1649 in Kent County, Maryland

Marriage 2 Anne MNU Smith b: AFT 1631

- *Married:* BEF 1647 in Kent County, Maryland

Children

1. Anne Smith b: AFT 1647 in Westmoreland County, Virginia
2. Robert Smith b: ABT 1657 in Kent County, Maryland
3. Nicholas Smith b: ABT 1658 in Kent County, Maryland

Uses published works by: Jane B. Cotton, Bates, F. Edward Wright, Vernon L. Skinner, Elise Greenup Jourdan, Ralph D. Smith, Dorman, Newman, Helen W. Brown, Barnes, Edward C. Papenfuse, Lois Green Carr, Peden, Brumbaugh, Keddie, Doliante, W. N Hurley, Robert Hall, Scharf, Skordas, G.H.S. King, TLC, N.M. Nugent, Sparacio, Russell; Need Marshall's from the Northern Neck, VA Counties to take DNA tests. {R1a Haplogroup}: Need Professional Genealogy Services? Refer to http://genealogypro.com/fsaunders.html

Robert Smith

♂ Abt 1657 - 1702 (~ 45 years)

Name	Robert Smith	
Born	Abt 1657	Kent County, Maryland
Gender	Male	
Died	1 Sep 1702	Westmoreland County, Virginia - Inventory
Person ID	I030341	Tree1
Last Modified	10 Aug 2018	

Father	Robert Smith, **b.** 1599, England, **d.** 26 Feb 1660/61, Northumberland County, Virginia - Probate (Age 62 years)	
Mother	Anne MNU Smith, **b.** Aft 1631, **d.** Aft 1679, Cecil County, Maryland (Age > 48 years)	
Married	Bef 1647	Kent County, Maryland
Family ID	F18453	Group Sheet | Family Chart

Family	Mary Bailey, **b.** Abt 1661, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1702, Cople Parish, Westmoreland County, Virginia (Age ~ 42 years)	
Married	Abt 1678	Westmoreland County, Virginia
Children	1. Robert Smith, **b.** Bef 1692, **d.** 29 Jan 1749/50, Cople Parish, Westmoreland County, Virginia - Probate (Age > 58 years)	
Last Modified	10 Aug 2018	
Family ID	F14154	Group Sheet | Family Chart

Notes

- Inventory of estate was returned 9-1-1702 on the estate of Robert Smith by Robert Johnson and Mary his wife (source: "Wills of Westmoreland County, Virginia 1654-1800 by Augusta B Fothergill

  ===
  1662-1666 Deed & Will Book Northumberland Co Va; Antient Press: Pg 100
  Imprs: One Browne cowe called by the name of Gentle & her Calfe I give to my Sonne, ROBERT SMITH, & one young Heyfer called by the name of Young Whitefoot to owne them as his owne, them & their increase for ever; one feather bed with all the furniture belonging to it & one Gun, a Pesten, a pewter dish with his name put on it. one pott & chest, one frying pan & a sett of Coopers tooles, these cattle being of JOHN AIRES his marke & the rest of these things being all his I doe freely give them to my Sonne, ROBERT SMITH; Two two yeare old heyfers the one a light browne with part of the hinder legg white, white under the belly, white spott in the forehead & the end of her toile white, the other being black both of them cropt on the right eare with a slitt in the left eare & the fore part of the eare that is slitt a bitt taken off, a pott, a pestall & a Gun being a s( ) barrelld. Gunne, a pewter dish, a flock bed and the furniture belonging to it, these things I freely give to my Sonne, RICHARD SMITH, I doe give to my Daughter, ELIZABETH SMITH, a yeare old heyfer cropt in the right care & a slitt in the left care ( ) one bed & furniture belonging to it ( ), one boson with her name on them they ( ) my Daughter, ELIZABETH SMITH, ( ) JANE SMITH one yeare ( ) killer- pan except on the ( ) eare with the end of ( ) her name on it; I give ( ) SMITH, I give to ( ) yeare old hefer calve ( ) Nancy; As Witnes my hand this ( )
  Witnesses hereof JOHN WEBB; ANNE AIRES
  SUTTON QUEENY
  (On margin: ANNE AIRES, Widdow & Relict of JNO: AIRES deced., her gift to her Children)
  ===
  Westmoreland County, Virginia Deeds and Wills N2, 1691-1699" by John Frederick Dorman , p 7

  Pages 13-13a 10-10-1691 Robert Smith of Cople Parish, Westmoreland County, Virginia, to Wm Smith of same, planter. for 4000 pounds of tobacco and in performance of award made by Honorable Richard Lee and Colonel Isaac Allerton, Esq, arbitrators appointed by the last General Court of VA.

All interest I may have in a deed of gift or grant, 10-30-1688, of one Sutton Queeny of Calvert County, Maryland, carpenter to Robert Smith....formerly pattened by Robert Smith (father of afresaid William and Robert Smith), deceased, 10-25-1651, in Northhumberland Co, now situated in Westmoreland Co, southeast upon Youcomoco River, SW upon the land of Roger Pallin, NE and SW upon the main woods. sig: Robert (x) Smith WIT: Henry Maunders, James Ellis

Robert Smith of Cople Parish, planter, to William Smith of same, planter. All accounts, caused and suits, bills, bonds, recoginance accounts, sums of money, debts, controversys, trespasses, and demands whatsever against the said Wm. Smith I ever had, now have or my heirs hereafter may have for any reason.

Sig: Robert (x)Smith Witness: Henry Maunders, James, Ellis
===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1676-1679; John Frederick Dorman; Page 72
25 June 1678: In the case between Robt. and Nich. Smith, orphants, and and Henry Owen and .Tho,... Moore, the Couth doth order that what land Hen. Owen and Moork doe Possesse and at present injoy.: that is 'within the bounds of Robt.. and Nich: Smith pattent,: that Owen and Moore doe delliver quiett possession to the Orphants or there guardians.

===
WESTMORELAND COUNTY, VIRGINIA ORDER BOOK 1679-1682; John Frederick Dorman; pg 19; [17 Dec. 1679]
Wm. Smith vs. Robt. Smith. Referd to a Jury. We find that Wm: Smith hath right to the, divident of land as heire to his brother Jno: Smith, only reserveing the plantation now seated. to Anne Smith alias Pullin duering her life according to the will of Robt: Smith. Judgment is granted.
Robt: Smith appeales to the 4th day, of the next Generall Court. Mr. Jno: Newton assumed security with Robt: Smith to prosecute. And:: Reade assumed security with Wm: Smith to answer appeale.
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=269&last=270&g_p=G2 &collection=NN Grant
Title Smith, Robert.
Publication 20 May 1697.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 600 acres between two branches of Nominy River.
Source: Northern Neck Grants No. 2, 1694-1700, p. 269-270 (Reel 288).
===
CAVALIERS AND PIONEERS PATENT BOOK No. 5; Pg 478
ROBERT SMITH & NICH. SMITH, 225 acs., in the forest bet. Rappa. & Patomeck Rivs., beg. on a point bet. two branches of Nominy Riv. The sd. land being surveyed for John Ayres, by him assigned to sd. patentees & due for trans. of 5 pers.* 28 Jan. 1662, p. (202).

Stephen Bailey

>> Print <<

♂ Bef 1637 - 1697 (> 60 years)

Name	Stephen Bailey	
Born	Bef 1637	Gloucestershire, England
Gender	Male	
Died	23 Feb 1696/97	"Kinsdale", Westmoreland County, Virginia - Proved
Person ID	I077891	Tree1
Last Modified	10 Aug 2018	

Father	Westmoreland Va Bayley	
Family ID	F14586	Group Sheet | Family Chart

Family	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Children	1. John Bailey, **b.** Abt 1660, Cople Parish, Westmoreland County, Virginia, **d.** 22 Apr 1736, Westmoreland County, Virginia - Probate (Age ~ 76 years) 2. Mary Bailey, **b.** Abt 1661, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1702, Cople Parish, Westmoreland County, Virginia (Age ~ 42 years) 3. Stephen Bailey, **b.** Abt 1662, Westmoreland County, Virginia, **d.** Bef 1697, Westmoreland County, Virginia (Age ~ 34 years) 4. Anne Bailey, **b.** Abt 1662, Northumberland County, Virginia, **d.** Aft 1731, Westmoreland County, Virginia (Age ~ 70 years) 5. William Bailey, **b.** Abt 1670, Westmoreland County, Virginia, **d.** 31 Jan 1748/49, Westmoreland County, Virginia - Probate (Age ~ 79 years)	
Last Modified	10 Aug 2018	
Family ID	F14589	Group Sheet | Family Chart

Notes

- James Hughes 2005-07-01 10:44:40
  Burgess Family and Relatives

  Westmoreland County, Virginia Will Book page 124-125. Stephen Bailey made his Will in Westmoreland County, as follows: In the name of God Amen. I Stephen Bailey of the parish of Cople, being sick and weak in body, but of sound and perfect memory do make, constitute and appoint this my last Will and Testament in manner and form following, Imprimis I commit my soul to God, that gave it hoping through the Merits and Satisfaction only of my dear Lord and Savior Jesus Christ to obtain the forgiveness of my sins anda blessed resurrection to everlasting life, and my body to be buried at the discression of my Executors hereafter named and as for what worldly estate, the Lord hath been pleased to Lend me I give and bequeath as followeth, after my Debts and Funeral paid,
  Item. I give unto my son John Bailey all that tract of land in the forrest by estimation fifty acres, be it more or less with all houses fences and appurtenances thereunto belonging to him and his heirs forever.
  Item. I give unto my son William Bailey all that tract of land where on I now live with all houses, orchards, and appurtenances thereto belonging, to him and his heirs males of his body begotten forever, and for want of such heirs males then it is my will that the said Land and all the appurtenances , be and remain to my son John Baily and his heirs males forever.
  Item. I give unto Anne Smith my daughter, one small Iron Pot and a wearever panne and my gray mare, branded S.B. to her and her heirs forever.
  Item. I give unto Anne Bailey daughter of Stephen Bailey, deceased, one heifer called Doll, and all her female increase, the said heifer to be and remain in the hands of John Bailey and delviered with all the female increase to the said Anne at 16 years of age or day of marriage which first happens and the male increase to John Bailey for his trouble; but in case the said Anne die before the said Time, then the said Heifer and Increase to be divided among John Bailey's children.

Item: I give unto Mary Walker daughter of William Walker deceased one heifer named Moll and all her increase to her and her heirs or assigns forever to be delivered to her immediately after my death.
Item. I give unto my daughter Mary Smith one shilling.
Item. I give unto my son John Bailey, Anne Smith and William Bailey all the residue of my personal Estate whatsover, to be equally divided amongst them at their own discression immediately after my decease, Lastly I make constitute and appoint my loving sons John Bailey and William Bailey Exors. of this my last Will and Testament.
In witness whereof this my last will and Testament. In Witness whereof I have hereunto sett my hand and seal the 8th day of December 1696. Sealed and published in presence of us Stephen Baly (Seal) Henry Rosse Samll Damanville Thomas Bee. Westmoreland set.
At a court held for the county the 23 day of February 1697. The Last Will and Testament of Stephen Baily proved by the Oath of the witnesses threto subscribed and a probate there of granted to John Bailey and William Bailey the Executors therine named, and or to be Recorded. Recorded Deed Book No 2 at page 129.
===
WILLS OF Westmoreland County, Virginia 1654-1800 BY AUGUSTA B. FOTHERGILL: Pg 21
BAILEY, STEPHEN, 8 December 1697; 23 February 1697.
To son John 50 acres; son William home plantation; dau. Anne Smith one iron pot, one mare and one shilling; Anne Bailey dau. of Stephen Bailey deceased one heifer; Mary dau. of William Walker deceased one heifer; dau. Mary Smith.
===
James Hughes 2005-08-19 13:22:56
Early Virginia Immigrants, 1623 -1666 , Page 26

Bayley, Tho., 1652, by Wm. Up. Thomas, (???) Co.
Bayley, Jane, 1652, by Nicho. George, Tho. Taberer and Humphery Clarke, (???) Co.
Bayley, John, 1643, by Mr. Moore Fantleroy, Upper Norfolk Co.
Bayley, Tho., 1645, by William Storey, Upper Norfolk Co.
Bayley, Richd., 1653, by Joseph Croshaw, York Co.
Bayle, Mary, 1650, by Capt. Moore Fantleroy, (Northumberland or Lancaster) Co.
Bayle, Henry, 1637, by Patrick Kennedye, New Norfolk Co.
Baylie, Edward, 1652, by Christopher Robinson, and John Sturdevant, Henrico Co.
Bayly, Peter, 1637, by Rich. Bennett, New Norfolk Co.
Bayly, Henry, 1650, by Lewis Burwell, Gent., (???) Co.
Bayly, Richard, 1650, by Lewis Burwell, Gent., (???) Co.
Bayly, Jove, 1639, by Edward Drew, Accomack.
Bayly, Margarett, 1639, by Capt. Rich. Townsend, Charles River Co.
Bayly, Peter, 1635, by Richard Bennett, (New Norfolk Co) Co.
Bayly, Hen., 1637, by James Harrison, James City Co.
Bayly, Rebena, 1637, by Phillipp Taylor, Accomack Co.

=== Research notes from Edward White

Earliest reference Sparacio, Deed & Will Abstracts of Northumberland County Virginia, 1655-1658, 120, NorthumberlandCounty Record Book 1652-1658, 138, 11/3/1657, 2/13/1657/8, notes that STEPHEN BAILEY was toperform a lease and plant 50 apple trees on the land of WM. BACON

DW 8-228, 2/5/1733/4, 2/26/1733/4. JOHN BAILEY, THE ELDER of Cople Parish to Son JAMES BAILEY Gift 5s 50 acres in the forest of Cople between the Yeocomico and Nominy, ? . . . On Jan. 10, 1679, Searle rightly relinquished all his right title and interest in the 50 acres to THOMAS MOORE and MARGARET his wife by deed bearing date Feb. 5, 1683, who conveyed theland to MILES GOREHAM and SUSANNAH his wife, which by their endorsement on the back of thedeed September 13, 1684 did convey and make to STEPHEN BAILEY the fifty acres of land whichpassed under STEPHEN BAILEY's will of 1697.

Dorman Abstracts of Westmoreland County. John Frederick Dorman, Deeds, Patents, Etc. 1665-1677.Page 122 13 July 1672, WILLIAM WALKER unto SAMUEL EARLE 100 acres adjoynlng to the landwhich I sold unto STEPHEN BAILEY . . . upon the land of ROBERT BENNETT of the one side and soupon upon Harris on the other side. /s/ William (X) WalkerWit: Wm. Rust, John (X) Lambkin31 July 1672. Acknowledged by William Walker

===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
Mr. Wm. Bacons engagement to Wm. Thomas tor Stephen Bailys performance of a lease.
These presents witnesseth that I Wm. Bacon do bind myself my heirs or assignees that Stephen Bayly

shall perform me lease and plant me fifty apple trees at me true distance next year and from them in which a sufficient fence about them and to keep the fence sufficient about them till me expiration of me time, witness my hand November 3rd 1657.
Wm.Bacon
Teste - William Jeffars, James Claughton
13th February 1657, this writing was recorded.
===
1658-1662 Will & Deed Record Book Northumberland Co Va: Pg 6
( ) I WILL: THOMAS doe bind my selfe my heires ( ) wayes to trouble or molest STEPHEN BAILY ( ) in or about the Land that hee nowe possesses ( ) him quietly & peaceably enjoy the same ( ) my selfe my heires or assignes that ( ) Agreemt, the sd, WM. BACON have made ( ) HEN: BAILY in or about the sd. Land ( ) Lease for Eleven yeares, I do by ( ) my selfe my heires to ratify & ( ) set forth as if my selfe did make ye Lease ( ) Novembr: 3d. 1657
( ) CLAUGHTON, WILLIAM THOMAS
WILLIAM JEFFARS
) 1658, This Writeing was acknowledged in Court ( ) WM. THOMAS & is recorded

===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 243
Northumberland County Court 21st of May 1660
- Upon the Peticon of WILLIAM JEFFER that STEPHEN BAILY, whoe married with the Relict of WM WALKER, deced., hath in his tuicon his Wifes Brother which Orphan the sd, BAILY doth much abuse, It is therefore ordered that the sd, Orphan (WM. WALKER) shall forthwith be removed from the said BAILEY's, remaine with the sd. JEFFER till further order & that the said BAILY make his appeareance at the next Orphans Court
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 251
Northumberland County Court 21th of July 1660
- Upon hearing of the difference depending betweene WILLIAM JEFFARS and STEPHEN BAILY, It is ordered that each pity shall Beare his owne charges & that if hereafter the sd p;ties shall bring any more such Lytigious, vexatious & turbulent suits into the Court about Quarrelling & Scandalizing each other, then to be fined or punished at the Courts discrecon, And it is further ordered that WILLIAM WALKER, the Sonne of Mr WM: WALKER, deced., shall continue and remaine with STEPHEN BAILY, whoe married with the Relict of the sd. WALKER, deced., according to the Will of the said deced
===
Contributed by Edward White

Abstracts of Westmoreland County. John Frederick Dorman, Deeds, Patents, Etc. 1665-1677.
"Page l22-122a 23 April 1672. William Walker Senior of Westmoreland County, planter, unto Stephen Bailye of same, planter. For a valuable consideration. 133 acres in or about Yeoomicoe Neck, bounding south east upon the River of Yeocomicoe. southerly upon the land of Robert Bennett, northerly upon the land of Richard Tedwell and northwest upon another tract of land of Walker's which 133 acres bounds alsoe upon the land which Stephen doth now live upon and doth divide the land of Stephen from one tract which Walker was this yeare about to seate, which said land is part of a greater tract given by William Walker, deceased, unto William Walker, now the Elder, he now having a younger brother called alsoe by the said name William Walker Junior, but the sonn of another wife, which said William Walker, deceased, had who now is wife unto the said Stephen.
Likewise William Senior doth relinquish all right to a tract of land which his father did give unto his brother William Walker Junior, being 239 acres, unto William Walker.

William (X) Walker

Wit: John Sanford, Alexander Mullwane
31 July 1672 Acknowledged by William Walker Senior."

This is from Dorman's abstract of Westmoreland deeds. It was found in a book of lost deeds which are not recorded in Westmoreland. There is a gap in the deeds there from 1671-1691. The younger brother, William noted in the deed owned the life estate property, about 239 acres tot he east of this tract.

WD 3-378-80 11/13/1705, rec 11/28/1705 Gerrard Ball of Md. To Robert Sparrow of Westmoreland "100 acres in Cople Parish, part of a patent granted to William Walker, late of this county, deceased, and by the last will and testament bequeathed to WILLIAM WALKER his son who sold 100 acres to Samuel Earle" who sold to Thomas Duran whose will passed it to Ball. "[B]OUNDEN BY LAND OF WILLIAM BAYLY being part of the said patent, on the land of Robert Bennett and William Garland and on the head of Blyses'

	Creek . . ."
	6-585 RICHARD TIDWELL TO WM. METCALFE 200 acres at a point where the 11/30/1719 Yeocomico divides into two branches. Flynt's Mill and Garner's Mill. [This is Kinsale.]

Stephen Bailey

♂ Bef 1637 - 1697 (> 60 years)

Name	Stephen Bailey	
Born	Bef 1637	Gloucestershire, England
Gender	Male	
Died	23 Feb 1696/97	"Kinsdale", Westmoreland County, Virginia - Proved
Person ID	I077891	Tree1
Last Modified	3 Aug 2018	

Father	Westmoreland Va Bayley	
Family ID	F14586	Group Sheet | Family Chart

Family	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Children	1. John Bailey, **b.** Abt 1660, Cople Parish, Westmoreland County, Virginia, **d.** 22 Apr 1736, Westmoreland County, Virginia - Probate (Age ~ 76 years) 2. Mary Bailey, **b.** Abt 1661, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1702, Cople Parish, Westmoreland County, Virginia (Age ~ 42 years) 3. Stephen Bailey, **b.** Abt 1662, Westmoreland County, Virginia, **d.** Bef 1697, Westmoreland County, Virginia (Age ~ 34 years) 4. Anne Bailey, **b.** Abt 1662, Northumberland County, Virginia, **d.** Aft 1731, Westmoreland County, Virginia (Age ~ 70 years) 5. William Bailey, **b.** Abt 1670, Westmoreland County, Virginia, **d.** 31 Jan 1748/49, Westmoreland County, Virginia - Probate (Age ~ 79 years)	
Last Modified	3 Aug 2018	
Family ID	F14589	Group Sheet | Family Chart

Notes

- James Hughes 2005-07-01 10:44:40
  Burgess Family and Relatives

  Westmoreland County, Virginia Will Book page 124-125. Stephen Bailey made his Will in Westmoreland County, as follows: In the name of God Amen. I Stephen Bailey of the parish of Cople, being sick and weak in body, but of sound and perfect memory do make, constitute and appoint this my last Will and Testament in manner and form following, Imprimis I commit my soul to God, that gave it hoping through the Merits and Satisfaction only of my dear Lord and Savior Jesus Christ to obtain the forgiveness of my sins anda blessed resurrection to everlasting life, and my body to be buried at the discression of my Executors hereafter named and as for what worldly estate, the Lord hath been pleased to Lend me I give and bequeath as followeth, after my Debts and Funeral paid,
  Item. I give unto my son John Bailey all that tract of land in the forrest by estimation fifty acres, be it more or less with all houses fences and appurtenances thereunto belonging to him and his heirs forever.
  Item. I give unto my son William Bailey all that tract of land where on I now live with all houses, orchards, and appurtenances thereto belonging, to him and his heirs males of his body begotten forever, and for want of such heirs males then it is my will that the said Land and all the appurtenances , be and remain to my son John Baily and his heirs males forever.
  Item. I give unto Anne Smith my daughter, one small Iron Pot and a wearever panne and my gray mare, branded S.B. to her and her heirs forever.
  Item. I give unto Anne Bailey daughter of Stephen Bailey, deceased, one heifer called Doll, and all her female increase, the said heifer to be and remain in the hands of John Bailey and delviered with all the female increase to the said Anne at 16 years of age or day of marriage which first happens and the male increase to John Bailey for his trouble; but in case the said Anne die before the said Time, then the said Heifer and Increase to be divided among John Bailey's children.
  Item: I give unto Mary Walker daughter of William Walker deceased one heifer named Moll and all her increase to her and her heirs or assigns forever to be delivered to her immediately after my death.
  Item. I give unto my daughter Mary Smith one shilling.
  Item. I give unto my son John Bailey, Anne Smith and William Bailey all the residue of my personal Estate whatsover, to be equally divided amongst them at their own discression immediately after my decease, Lastly I make constitute and appoint my loving sons John Bailey and William Bailey Exors. of this my last Will and Testament.
  In witness whereof this my last will and Testament. In Witness whereof I have hereunto sett my hand and seal the 8th day of December 1696. Sealed and published in presence of us Stephen Baly (Seal) Henry Rosse Samll Damanville Thomas Bee. Westmoreland set.
  At a court held for the county the 23 day of February 1697. The Last Will and Testament of Stephen Baily proved by the Oath of the witnesses threto subscribed and a probate there of granted to John Bailey and William Bailey the Executors therine named, and or to be Recorded. Recorded Deed Book No 2 at page 129.
  ===
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  BAILEY, STEPHEN, 8 December 1697; 23 February 1697.
  To son John 50 acres; son William home plantation; dau. Anne Smith one iron pot, one mare and one shilling; Anne Bailey dau. of Stephen Bailey deceased one heifer; Mary dau. of William Walker deceased one heifer; dau. Mary Smith.
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  Bayly, Henry, 1650, by Lewis Burwell, Gent., (???) Co.
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===
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Mr. Wm. Bacons engagement to Wm. Thomas tor Stephen Bailys performance of a lease.
These presents witnesseth that I Wm. Bacon do bind myself my heirs or assignees that Stephen Bayly shall perform me lease and plant me fifty apple trees at me true distance next year and from them in which a sufficient fence about them and to keep the fence sufficient about them till me expiration of me time, witness my hand November 3rd 1657.
Wm.Bacon
Teste - William Jeffars, James Claughton
13th February 1657, this writing was recorded.
===
1658-1662 Will & Deed Record Book Northumberland Co Va: Pg 6
( ) I WILL: THOMAS doe bind my selfe my heires ( ) wayes to trouble or molest STEPHEN BAILY ( ) in or about the Land that hee nowe possesses ( ) him quietly & peaceably enjoy the same ( ) my selfe my heires or assignes that ( ) Agreemt, the sd, WM. BACON have made ( ) HEN: BAILY in or about the sd. Land ( ) Lease for Eleven yeares, I do by ( ) my selfe my heires to ratify & ( ) set forth as if my selfe did make ye Lease ( ) Novembr: 3d. 1657
( ) CLAUGHTON, WILLIAM THOMAS
WILLIAM JEFFARS
) 1658, This Writeing was acknowledged in Court ( ) WM. THOMAS & is recorded

===
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Northumberland County Court 21st of May 1660
- Upon the Peticon of WILLIAM JEFFER that STEPHEN BAILY, whoe married with the Relict of WM WALKER, deced., hath in his tuicon his Wifes Brother which Orphan the sd, BAILY doth much abuse, It is therefore ordered that the sd, Orphan (WM. WALKER) shall forthwith be removed from the said BAILEY's, remaine with the sd. JEFFER till further order & that the said BAILY make his appeareance at the next Orphans Court
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 251
Northumberland County Court 21th of July 1660
- Upon hearing of the difference depending betweene WILLIAM JEFFARS and STEPHEN BAILY, It is ordered that each pity shall Beare his owne charges & that if hereafter the sd p;ties shall bring any more such Lytigious, vexatious & turbulent suits into the Court about Quarrelling & Scandalizing each other, then to be fined or punished at the Courts discrecon, And it is further ordered that WILLIAM WALKER, the Sonne of Mr WM: WALKER, deced., shall continue and remaine with STEPHEN BAILY, whoe married with the Relict of the sd. WALKER, deced., according to the Will of the said deced
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Likewise William Senior doth relinquish all right to a tract of land which his father did give unto his brother William Walker Junior, being 239 acres, unto William Walker.

William (X) Walker

Wit: John Sanford, Alexander Mullwane
31 July 1672 Acknowledged by William Walker Senior."

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6-585 RICHARD TIDWELL TO WM. METCALFE 200 acres at a point where the
11/30/1719 Yeocomico divides into two branches. Flynt's Mill and Garner's Mill. [This is Kinsale.]

Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties - Maintained by Mike Marshall
http://colonial-settlers-md-va.us/

Mary Jefers

♀ 1630 - Aft 1697 (> 68 years)

Name	Mary Jefers	
Born	1630	England
Gender	Female	
Died	Aft 1697	Westmoreland County, Virginia
Buried	Old Rappahannock County, Virginia	
Person ID	I071673	Tree1
Last Modified	3 Aug 2018	

Family ID	F33077	Group Sheet | Family Chart

Family 1	Robert Sharp, **b.** 1615, England, **d.** 30 Sep 1655, Northumberland County, Virginia - Inventory (Age 40 years)	
Married	Abt 1646	Northumberland County, Virginia
Last Modified	3 Aug 2018	
Family ID	F33062	Group Sheet | Family Chart

Family 2	William Walker, **b.** 1622, England, **d.** 20 May 1657, Northumberland County, Virginia - Probate (Age 35 years)	
Married	Bef 20 Jan 1655/56	Northumberland County, Virginia
Children	1. William Walker, **b.** 1657, Northumberland County, Virginia, **d.** 1685, Northumberland County, Virginia (Age 28 years)	
Last Modified	3 Aug 2018	
Family ID	F14603	Group Sheet | Family Chart

Family 3	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Married	21 May 1660	Northumberland County, Virginia
Children	1. John Bailey, **b.** Abt 1660, Cople Parish, Westmoreland County, Virginia, **d.** 22 Apr 1736, Westmoreland County, Virginia - Probate (Age ~ 76 years) 2. Mary Bailey, **b.** Abt 1661, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1702, Cople Parish, Westmoreland County, Virginia (Age ~ 42 years) 3. Stephen Bailey, **b.** Abt 1662, Westmoreland County, Virginia, **d.** Bef 1697, Westmoreland County, Virginia (Age ~ 34 years) 4. Ann Bailey, **b.** Abt 1662, Northumberland County, Virginia, **d.** Aft 1731, Westmoreland County, Virginia (Age ~ 70 years) 5. William Bailey, **b.** Abt 1670, Westmoreland County, Virginia, **d.** 31 Jan 1748/49, Westmoreland County, Virginia - Probate (Age ~ 79 years)	
Last Modified	3 Aug 2018	
Family ID	F14589	Group Sheet | Family Chart

Notes

- ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  Mary Walker her deposition.
  Mary Walker the late wife of Robert Sharpe deceased
  aged 25 years or there abouts sworn and examined saith that
  the inventory that Mr. Hugh Lee presented to the court of
  the estate of Robert Sharpe deceased being appraised to the
  value and sum of four thousand sixty and five pounds of
  tobacco and cask is a true and ajust inventory.
  Signum Mary Walker
  20th January 1655, Jurat in court
  ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  [Page 65 L]
  John Meekes his will.
  In the name of our Lord God everlasting, I John
  Meekes being very sick and weak but in perfect memory do
  and according as it is fit bequeath my soul to God With
  whom I hope I shall rest and my body to the earth from
  whence it came. Imprimus • I will and bequeath that which I
  have unto Mary Sharpe, furthermore my will is that at the
  term of two years after my decease that John Coleman the
  son of Richard Coleman shall have one cow calf if there fall
  any the second year after my decease furthermore my will is
  that Rebertah Laud the daughter of Robert Laud shall the
  second year after my decease have one cow calf if in case
  there falleth any at the time afore named. In witness whereof
  I have hereunto set my hand and seal the three and twenty
  day of October in the year of our Lord 1655.
  The mark of John Meekes
  The markof Wm. Warder
  William Jeffars
  The mark of Robert Laud
  ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  Mary Laud her deposition.
  Mary Laud aged 34 years or there abouts sworn and
  examined saith that in November last or there abouts at John
  Meekes his funeral Wm. Jeffars and his sister who is now
  the wife of Wm. Walker (fell out) and she bid him go to his
  whore the Fidlers wife, Wm. Jeffars made and swore and

said, do not say so sister for she is an honest woman, the
said Jeffars his sister replied again and said she is a whore
and I will prove it, and further this dependent saith not.
Signum - Mary Laud
21st July 1656, Jurat in court

Henry Haylor his deposition,
Henry Haylor aged 37 years or there abouts sworn and
examined saith, that about a month since this dependent
being at the house of John Walker, Wm. Walker and his
wife came into the said house the said Wm. Walkers wife
and Wm. Thomas his wife fell to words and Wm. Walkers
wife told the said Wm. Thomas his wife that she would beat
her the said Thomas his wife replied that she would give her
as good as she brought if fire brands would do it upon
which Walkers wife struck the said Thomas his wife and
threw her down upon a chest and did there beat her but the
said Thomas his wife did not strike the said Walkers wife in
this dependents sight and further this dependent saith not.
Signum - Henry Haylor
21st July 1656, Jurat in court.

Wm. Little his deposition.
Wm. Little aged 43 years or there abouts sworn and
examined saith that about the beginning of this instant July
this dependent Wm. Walker and his wife being at John
Walker his house where Wm. Thomas and his wife now
dwelleth the two woman, Walkers wife and Thomas his
wife began to leer and to be in very high terms so far that
the said Walkers wife ran towards the said Thomas his wife
but what blows were given this dependent can not say by
reason of a partition which debarred this dependent from
the sight of them but this dependent heard the said Thomas
his wife cry out and further this dependent saith not.
William Little
21st July 1656, Jurat in court
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
[page 102 L]
Wm. Walker and Mary Walker their assignment pattent and
land to Wm. Bacon.
Pattent is recorded [----] huius libra in George Knotts [----]
and assigned to John Meekes.
Be it known unto all men that I William Walker and Mary
Walker for good and valuableconsideration partin .hand
received and specially passed for the remainder with which
satisfaction we are both well satisfied do hereby assign and
set over all our right title and interest of this pattent of land
with all ediffices and trees orchards and priviledges there
unto belonging unto William Bacon his heirs, extrs, admtrs
or assignees forever from us our heirs, extrs, admtrs or
assignees forever and do bind our selves and our heirs to
acknowledge it in court when the said Wm.Bacon or his
assignees shall demand it, witness our hands January 27th
1656.
William Walker
signum Mary Walker
Teste - William Thomas, John Walker
6th February 1656, this assignment was acknowledged in
court by Wm. Walker and Mary Walker and is recorded.
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
[Page 84 R]
Robert Sharpes certificate for 50 acres of land.
At a court held for the County of Northumberland the 21st
of November 1653.
Commission present;
Col. John Mottrom
Mr. Wm. Presly
Mr. John Trussell
Mr. Nicholas Morris .
These are to certify that according to sufficient [-----]
made to this court there is due to Robert Sharpe 50 acres of
land for the transportation of Mary [----] into this colony.
comand at curis act is curid [--].
Mr. Th. Wilsford Clir. this.

Mary Sharpes assignment of a certificate for land.
IMary Sharpe the widow of Robert Sharpe do here by
assign all my right of this certificate unto [-----] Thomas
Broughton, witness my hand the 20th of [----] 1655.
Mary Sharpe her mark
Witness - William Walker
21st July 1656 this assignment of Mary Sharpes [-----] the
certificate was recorded.
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 243
Northumberland County Court 21st of May 1660
- Upon the Peticon of WILLIAM JEFFER that STEPHEN BAILY, whoe married with the Relict of WM WALKER, deced., hath in his tuicon his Wifes Brother which Orphan the sd, BAILY doth much abuse, It is therefore ordered that the sd, Orphan (WM. WALKER) shall forthwith be removed from the said BAILEY's, remaine with the sd. JEFFER till further order & that the said BAILY make his appeareance at the next Orphans Court
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 251
Northumberland County Court 21th of July 1660
- Upon hearing of the difference depending betweene WILLIAM JEFFARS and STEPHEN BAILY, It is ordered that each pity shall Beare his owne charges &

	that if hereafter the sd p;ties shall bring any more such Lytigious, vexatious & turbulent suits into the Court about Quarrelling & Scandalizing each other, then to be fined or punished at the Courts discrecon, And it is further ordered that WILLIAM WALKER, the Sonne of Mr WM: WALKER, deced., shall continue and remaine with STEPHEN BAILY, whoe married with the Relict of the sd. WALKER, deced., according to the Will of the said deced

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http://colonial-settlers-md-va.us/

nesses thereto, which at the instance of the said LANE is admitted to Record

Test G. TURBERVILE, C.C.W.

Recorded the Eighteenth day of June 1737, pr. G.T., C.C.W.

(On margin: BAILEYs Release to LANE)

THIS INDENTURE made the fifteenth day of December in the tenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c., And in the year of our Lord God one thousand seven hundred thirty and six; Between ELIZABETH BAILEY, Widow and Relict of JOHN BAILEY, JUNIOR, deceased, of Cople Parish and Westmorland County and WILLIAM BAILEY of PRINCE WILLIAM County, Eldest Son of said JOHN BAILEY JUNR. and ELIZABETH, of one part and WILLIAM LANE of the Parish of Cople and County of Westmorland of other part; Whereas ELIZABETH BAILEY, Widow, and WILLIAM BAILEY by Indenture for the consideration therein expressed, did bargain and sell unto WILLIAM LANE all the lands with every of their appurtenances containing by estimation seventy acres scituate on the Branches of NOMINI RIVER and within the bounds of One thousand acres of Land first granted WILLIAM BAILEY and HOWARD HARDEY by Pattent (this Release continues as in the Lease) To have and to hold the land and premises unto WILLIAM LANE during the term of one year; NOW THIS INDENTURE WITNESSETH that ELIZABETH and WILLIAM BAILEY in consideration of the sum of Thirty pounds current money of Virginia by WILLIAM LANE to them paid whereof ELIZABETH BAILEY, Widow, and WILLIAM BAILEY doth hereby acknowledge the receipt; hath and by these presents doth bargain and sell unto WILLIAM LANE in his actual possession the aforesaid Land. In Witness whereof the said parties to these presents their hands and seals interchangeably have set the day and year first above written

Signed Sealed and delivered in the presence of

JNO: SUTTON, JNO: FRESHWATER, ELIZABETH her mark E BAILEY

RICHD. his mark R HAMMOCK WILLIAM BAILEY

December ye 15th 1736. Then received of WILLIAM LANE the sum of Thirty pounds current money in full consideration within mentioned by us

In presence of ELIZABETH her mark E BAILEY,

JOHN SUTTON, JNO: FRESHWATER, RICHD. his mark R HAMMOCK

Westmorland ss. At a Court held for the said County the 31st day of May 1737 This Deed of Release for Land passed from ELIZABETH BAILEY, Widow, and WILLIAM BAILEY, her Son and heir, to WILLIAM LANE together with Receipt for the consideration thereon endorsed were proved in open Court as the Law directs by the Oaths of JOHN SUTTON, JOHN FRESHWATER and RICHARD HAMMOCK, witnesses thereto, all which at the instance of the said LANE are admitted to Record

Test G. TURBERVILE, C.C.W.

Recorded the Eighteenth day of June 1737, pr. G.T., C.C.W.

(On margin: BAILEYs Bond for performance of Covenants to WM. LANE)

KNOW ALL MEN by these presents that we ELIZABETH BAILEY (Widow and Relict of JOHN BAILEY, JUNR., deceased) of Cople Parish and Westmorland County and WILLIAM BAILEY of PRINCE WILLIAM County, Son of aforesaid JOHN and ELIZABETH, do stand and are firmly bounden and obliged to WILLIAM LANE of Parish of Cople and County of Westmorland in the sum of Sixty pounds current money of Virginia to the which payment well and truly to be made we bind ourselves our heirs firmly by these presents; Sealed with our seals dated this fifteenth day of December in the tenth year of the Reign of our Sovereign Lord George the Second, King of Great Britain France and Ireland, Defender of the faith &c., Annoq. domini 1736

THE CONDITION of the above obligation is such that if the above bounden ELIZABETH and WILLIAM BAILEY, their heirs shall observe and keep all the Covenants which on their parts ought to be observed and kept comprized in one pair of Indentures of Lease and Release between the above bounden ELIZABETH and WILLIAM BAILEY and WILLIAM LANE according to the true meaning of the same Indenture, That then the above obligation to be void and of none effect, otherwise to stand remain and be in full force power strength and virtue

Signed Sealed and delivered in the presence of

JNO: SUTTON, JNO: FRESHWATER, ELIZABETH her mark E BAILEY
RICHD: his mark R HAMMOCK WILLIAM BAILEY

Westmorland ss. At a Court held for the said County the 31st day of May 1737
This Bond for performance of Covenants passed from ELIZABETH BAILEY, Widow, and WILLIAM BAILEY, her Son and heir, to WILLIAM LANE was proved in open Court by the Oaths of JOHN SUTTON, JOHN FRESHWATER and RICHARD HAMMOCK, witnesses thereto, which at the instance of the said LANE is admitted to Record

Test G. TURBERVILE, C.C.W.

Recorded the Eighteenth day of June 1737, pr. G.T., C.C.W.

p. (On margin: WILLIAM DUFF's Lease for Life to EDWARD JONES, &c.)
315a THIS INDENTURE made the twenty fourth day of June in the year of our Lord one thousand seven hundred thirty seaven, Between WILLIAM DUFF of Hanover Parish in County of KING GEORGE of one part and EDWARD JONES of Washington Parish in County of Westmorland, Bricklayer, of other part; Witnesseth that WILLIAM DUFF in consideration of the yearly rent of six hundred and thirty pounds of tobacco and the quitt rents of One hundred acres of land to be paid unto him yearly on or before the twenty fifth day of December if demanded, hath and by these presents doth demise and to farm lett unto EDWARD JONES his heirs during the natural lives of said EDWARD JONES, HANNAH his now Wife and JOHN JONES his Son, and to the longest liver of them one tract of land scituate in Washington Parish in County of Westmorland bounded; Begining at a marked Hiccory at the parting of the land whereon PATRICK MATTHEWS lately lived near the FERRY ROAD, and thence along the FERRY ROAD to another Hiccory on the Road side and from thence athwart the Corn Field to the head of a Valley to a black Oak marked and from thence down the Branch to the Damm and up the Damm to the third Branch to a black Oak saplin and from thence by a line of marked trees up to the RIDGE ROAD to a black Oak marked saplin and down the RIDGE ROAD to the Corn Field fence which is near a Tobacco House and from thence athwart to an Orchard which is to be his and from thence to the begining; To have and to hold unto EDWARD JONES his heirs without any hindrance of WILLIAM DUFF his heirs In Witness whereof both parties have hereunto interchangeably sett their hands and seales the day and year first above mentioned

Sealed Signed and Delivered in the presence of us

ALEXR: HOWARD, WILLM; his mark WD DUFF
WILLM. SARJANT EDWARD his mark E JONES

Westmorland ss. At a Court held for the said County the 28th day of June 1737
WILLIAM DUFF came into Court and personally acknowledged this Deed of Lease for Lives by him passed to EDWARD JONES, HANNAH his Wife and JOHN JONES, Son of the said EDWARD and HANNAH, to be his proper act and deed which at the instance of the said EDWARD JONES is admitted to Record

Test G. TURBERVILE, C.C.W.

Recorded the 11th day of July 1737, pr. G.T., C.C.W.

WD.DW-07/95

VIRGINIA COUNTY COURT RECORDS

DEED & WILL ABSTRACTS of WESTMORELAND COUNTY, VIRGINIA 1740-1742

This book contains pages 40-235 of Westmoreland County Deeds & Wills No. 9, 1738-1744.

Edited & Published by Ruth & Sam Sparacio
THE ANTIENT PRESS
1320 Mayflower Drive, McLean, Virginia 22101-3402
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pp (On margin: MOORE & others to BAILEY)
111- THIS INDENTURE made this Eighth day of May in the fourteenth year of the
113 Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord one thousand seven hundred and fourty, Between SAMUEL MOORE and JANE his Wife and JOHN MARMADUKE and WENEFRED his Wife of Cople Parish and Westmoreland County of one part and JAMES BAILEY of the same Parish and County of other part: Witnesseth that SAMUEL MOOR and JOHN MARMADUKE in consideration of the sum of One thousand pounds of lawfull tobacco to them in hand paid by JAMES BAILEY, the Receipt whereof SAMUEL MOOR and JOHN MARMADUKE doth hereby acknowledge themselves therewith satisfied; hath and by these presents doth bargain and sell all that parcel of land containing Fifty acres be the same more or less lying in Parish and County aforesaid, being part of One hundred and fifty acres of land which NICHOLAS SMITH, deceased, left to be divided between his three Sons, NICHOLAS, PETER and JAMES, and NICHOLAS SMITH, Son of NICHOLAS SMITH deceased, sold his part of the land to JOHN LAMKIN by a Deed of Feoffment bearing date the fourth day of September in the year of our Lord one thousand seven hundred and thirty three, and after the decease of JOHN LAMKIN the land fell to his two Daughters, WENEFRED and JANE LAMKIN, who are since intermarried to JOHN MARMADUKE and SAMUEL MOOR, with all houses orchards profts and appurtenances to the same belonging: To have and to hold the Fifty acres of land and premises with appurtenances unto JAMES BAILEY his heirs; And SAMUEL MOOR and JOHN MARMADUKE for themselves their heirs &c. the premises unto JAMES BAILEY and his heirs against the claim of any person shall warrant and forever defend by these presents: In Witness whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written

Signed Sealed and Delivered in presence of

THOMAS MOOR, SAMUEL MOOR
WILLIAM GROVE JANE her mark ⊥ MOOR
JOHN MARMADUKE
WENEFRED MARMADUKE

Memorandum: That on the Eight day of May in the year of our Lord God one thousand seven hundred and fourty, SAML. MOORE and JOHN MARMADUKE made livery and seizen of the lands and appurtenances within mentioned by delivering Turff and Twigg and the Ring of the Door in the name of the whole land and appurtenances within sold according to the form and effect of the Deed, in presence of us

THOMAS MOOR, WILLIAM GROVE

Received of JAMES BAILEY the sum of One thousand pounds of lawful tobacco in full payment for the consideration within mentioned, Witness our hands this Eight day of May Anno Dom: 1740

JOHN MARMADUKE
SAMUEL his mark X MOOR

Westmoreland ss. At a Court held for the said County the 26th day of August 1740 JOHN MARMADUKE and WINIFRED his Wife and SAML. MOORE and JANE his Wife came into Court and the femes being first privately examined according to Law, they all personally acknowledged this Deed of Feoffment for land by them passed sold and conveyed unto JAMES BAILEY together with Livery of Seizen thereon endorsed to be their proper act and deed, and the said JOHN and SAMUEL also acknowledged the Receipt for the consideration endorsed on the said Deed, also to be their proper act and deed, all which at the instance of the said BAILEY are admitted to Record.

Recorded the Fourth day of September 1740

Teste GEORGE TURBERVILLE, C. W. C.

KNOW ALL MEN by these presents that we SAMUEL MOOR and JOHN MARMADUKE of Cople Parish and Westmoreland County do owe and stand justly indebted unto JAMES BAILEY of said Parish and County in the penal sum of Two thousand pounds of lawfull tobacco, to the which payment well and truly to be paid we bind our selves our heirs firmly by these presents; Sealed with our seals and dated the Eighth day of May in the fourteenth year of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith Annoq: Domini 1740

THE CONDITION of the above obligation is such that if the above bound SAMUEL MOOR and JOHN MARMADUKE their heirs do well and truly observe and keep all the Covenants which on their parts ought to be oberved and kept mentioned in an Indenture of Bargain and Sale made between SAMUEL MOOR and JOHN MARMADUKE of one part and JAMES BAILEY of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of none effect, otherwise to stand remain and be in full force power strength and virtue

Signed Sealed & delivered in presence of

THOMAS MOOR, SAML: MOOR
WILLIAM GROVE JOHN MARMADUKE

Westmoreland ss. At a Court held for the said County the 26th day of August 1740 This Bond for performance of Covenants from JOHN MARMADUKE and SAMUEL MOOR to JAMES BAILEY was personally acknowledged in open Court by the said MARMADUKE and MOOR and at the said BAILEYs instance admitted to Record

Recorded the Fourth day of September 1740

Test GEORGE TURBERVILLE, C. W. C.

pp. 114-118 THIS INDENTURE made the 29th day of July in the year of our Lord one thousand seven hundred and forty Between WILLIAM MUSE of Parish of Cople in County of Westmoreland, Planter, of one part and PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deceased, by JEMMIMA SPENCE and NICHOLAS MINOR, JUNR. his nearest friends & Exrs. to the Decedent of the Parish of Cople and County of Westmoreland of the other part: Witnesseth that WILLIAM MUSE in consideration of the sum of Fifty pounds of tobacco to him in hand paid by PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., the receipt whereof is hereby acknowledged, hath and by these presents doth bargain and sell unto PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., all that parcel of land containing One hundred acres be the same more or less lying in Parish of Cople and County of Westmoreland and bounded Begining on East side of a Great Swamp runing into RAPPAHANACK CREEK at the mouth of a Branch known by the name of SANDY VALLEY BRANCH, thence up the Branch to a white Oak corner tree, thence Southerly by a line of markt trees to a corner red Oak standing by the Old Field in or near the line of the land of THOMAS STURMAN, thence along his line to the Great Swamp, thence up the Swamp to the first begining place; And all houses orchards profits and appurtenances belonging; To have and to hold the said PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., his heirs during the full term of one year paying thereof one Peper Corn upon the Feast of St. Michael the Archangel if demanded to the intent that by virtue of these presents and of the Statute for transforming uses into possession PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., may be in the actual possession of the premises and thereby enabled to accept a release of the inheritance thereof; In Witness whereof WILLIAM MUSE hath hereunto set his hand and affixed his seal the day month and year above written

Sealed and Delivered in the presence of us
JOHN REMY, WILLIAM MUSE
JOSEPH SANFORD, STEPHEN S. BAILEY

Westmoreland ss. At a Court held for the said County the 30th day of September 1740 WILLIAM MUSE personally acknowledged this Deed of Lease for land by him passed to PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., to be his proper act and deed which at the instance of NICHOLAS MINOR, JUNR., one of the Executors of the said Decedent for and on behalf of the said PATRICK SPENCE, an Infant, the said Deed is admitted to Record

Recorded the Eleventh day of October 1740
Test GEORGE TURBERVILLE, C. W. C.

THIS INDENTURE made the 30th day of July in the year of our Lord one thousand seven hundred and forty Between WILLIAM MUSE of Parish of Cople in County of Westmoreland, Planter of one part and PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., by JEMIMA SPENCE and NICHOLAS MINOR, JUNR. his nearest friends & Exrs. of the said Decedent of other part; Witnesseth that in consideration of the sum of four thousand pounds of tobacco to him in hand paid, the receipt whereof WILLIAM MUSE doth hereby acknowledge hath and by these presents doth bargain sell and release unto PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., in his actual possession now being by virtue of a bargain and sale to him thereof made for one year and by force of the Statute for transferring uses into possession, all that parcel of land containing One hundred acres be the same more or less lying in Parish of Cople and County aforesaid and bounded, Begining (the bounds repeated as in the Lease) To have and to hold the lands and premises with appurtenances unto PATRICK SPENCE, Son and heirs of PATRICK SPENCE, Gent., deced., without the hindrance of WILLIAM MUSE his heirs free and discharged or otherwise well and sufficiently saved and kept harmless and indemnified from all incumbrances; And WILLIAM MUSE and his heirs the premises shall warrant and defend by these presents; In Witness whereof WILLIAM MUSE hath set his hand and affixed his seal the day month and year first above written Sealed and Delivered in presents of us
JOHN REMY, JOSEPH SANFORD, WILLIAM MUSE
STEPHEN S. BAILEY

Received of PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., the sum of four thousand pounds of tobacco being the consideration within mentioned to be by him paid to me, June the twenty fourth one thousand seven hundred and forty
Witness JOHN REMY, JOSEPH SANFORD, WILLIAM MUSE
STEPHEN S. BAILEY

Westmoreland ss. At a Court held for the said County the 30th day of September 1740 WILLIAM MUSE personally acknowledged this Deed of Release for Land by him passed to PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., together with receipt for the consideration thereon endorsed to be his proper act and deed and MARY, Wife of THOMAS MUSE (she being first privily examined according to Law) relinquished her Right of Dower and Thirds at the Common Law in and to the land by the said Deed conveyed which at the special instance of NICHOLAS MINOR, JUNR. one of the Executors of the said Decedent for and on behalf of the said PATRICK SPENCE, an Infant, the same is admitted to Record

Recorded the Eleventh day of October 1740
Test GEORGE TURBERVILLE, C. W. C.

KNOW ALL MEN by these presents that I WILLIAM MUSE of County of Westmoreland and Parish of Cople do stand and am firmly bound unto PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., of the County aforesaid in the sum of Ten thousand pounds of tobacco to the which payment well and truly to be made I bind myself my heirs firmly by these presents; Sealed with my Seale and dated this 29th day of July Anno Domin 1740

THE CONDITION of the above obligation is such that if the above named PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., his heirs shall henceforth peaceably and quietly possess all that land lying in County of Westmoreland and Parish of Cople sold by WILLIAM MUSE in a certain Indenture between WILLIAM MUSE and PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., clearly discharged or otherwise sufficiently saved harmless of and from all manner of incumbrances; Then the above obligation to be void and of none effect, otherwise to stand remain in full force and virtue

Signed Sealed and Delivered in presence of

JOHN REMY, JOSEPH SANFORD WILLIAM MUSE
STEPHEN S. BAILEY

Westmoreland ss. At a Court held for the said County the 30th day of September 1740 WILLIAM MUSE personally acknowledged this Bond for performance of Covenants by him passed to PATRICK SPENCE, Son and heir of PATRICK SPENCE, Gent., deced., to be his proper act and deed which at the special instance of NICHOLAS MINOR, JUNR., one of the Executors of the said Decedent for and on behalf of the said PATRICK SPENCE, an Infant, the said Bond is admitted to Record

Recorded the Eleventh day of October 1740
Test GEORGE TURBERVILLE, C. W. C.

pp. 118-119 THIS INDENTURE made the twenty sixth day of September in the year of our Lord one thousand seven hundred and forty, By and Between STEPHEN BAILEY of Cople Parish in Westmoreland County, Planter, of one part and JOHN BAILEY (Son of sd. STEPHEN) of Washington Parish in County aforesaid, Planter, of other part: Witnesseth that STEPHEN BAILEY in consideration of the sum of three thousand pounds of lawful tobacco to him already paid by JOHN BAILEY, the receipt whereof STEPHEN BAILEY doth hereby acknowledge, hath and by these presents doth bargain and sell unto JOHN BAILEY (Son of the said STEPHEN) his heirs all that parcel of land containing eighty acres scituate in Washington Parish in County of Westmoreland adjoining to the Plantation where JOHN BAILEY now dwelleth at the North West end thereof, and by the Swamp which parcel of land is part of a Pattent granted to OWEN BRENON for One hundred fifty five acres as by the Patent thereof dated the fifteenth day of December Annoq: Domini one thousand seven hundred and sixteen may more fully appear; And all houses orchards conveniences and appurtenances to the same belonging; To have and to hold the parcel of land with all the premises and appurtenances unto JOHN BAILEY his heirs; And STEPHEN BAILEY for himself and his heirs the eighty acres of land with the premises and appurtenances against the claim of any person shall warrent and defend by these presents; and that the premises now is free and clear from all incumbrances; In Witness whereof the party to these presents have interchangeably set their hands and seals the day and year above written

Sealed and Delivered in presence of us

BEND: MIDDLETON, STEPHEN BAILEY
ROBERT MIDDLETON, JOHN SPENCE

Memorandum, That on the twenty sixth day of September Anno Domini 1740 STEPHEN BAILEY acknowledged Livery and Seizen of the land and appurtenances within mentioned unto JOHN BAILEY, Son of aforesaid STEPHEN, according to the form & effect of the within Deed, in the presence of us

(no signatures recorded)

Westmoreland ss. At a Court held for the said County the 30th day of September 1740 STEPHEN BAILEY personally acknowledged this Deed of Feoffment or Bargain and Sale of land by him passed to his Son, JOHN BAILEY, with Livery of Seizen thereon endorsed to be his proper act and deed which is ordered to be recorded

Recorded the Eleventh day of October 1740

Test GEORGE TURBERVILLE, C. W. C.

pp. 119-120 THIS INDENTURE made Between JAMES HORE, Gent., of Westmoreland County of one part and JOHN NELSON, Planter of other part; Witnesseth this 28th day of September 1740 that JAMES HORE hath and by these presents doth demise set and to farm let one parcel of land by estimation One hundred acres more or less scituate in Westmorland County bounded, Begining at a white Oak standing near the Branch which divides this land from the Land of Capt. AUGUSTINE WASHINGTONs, extending thence Easterly along a line of marked trees to a Fence, thence along the Fence which divides the said HORE's Quarter Plantation to a Locust tree standing a value in the line which divides this land from the Land of WM. WEEKS, thence Southerly along the said line to the corner, thence along the head line to a Hiccory tree standing on a small Ridge, thence along a line of marked trees to the Mane Branch, thence down the Branch to the begining; in consideration of the Rents and Duties hereafter mentioned dureing the term of the natural life of sd. JOHN NELSON and MARY his present Wife, with all houses orchards profits and appurtenances belonging; but it shall not be lawfull for JOHN NELSON or MARY his Wife to sell or make waste with any sort of Timber then for use of the aforesaid Plantation, and it shall not be lawful for JOHN NELSON or MARY his Wife to sell or lease any part thereof to any person; paying yearly unto JAMES HORE his heirs on the 10th day of March the neat sum or quantity of Six hundred and fifty pounds of tobacco and cask according to Law; In Witness whereof the parties above named have interchangeably set their hands and seals the day and year above written

Signed Sealed & Delivered in the presents of

ORIGLL: WROE, JOB SIMES, JAMES HORE
WILLIAM STROTHER JNO: NELSON

Westmoreland ss. At a Court held for the said County the 30th day of September 1740 JAMES HORE, Gentleman, personally acknowledged this Deed of Lease of Land for Lives by him passed to JOHN NELSON to be his proper act and deed, which at the instance of the said NELSON is remitted to Record

Recorded the Sixteenth day of October 1740

Test GEORGE TURBERVILLE, C. W. C.

pp. 120-121 IN THE NAME OF GOD Amen. I ELIZABETH DICKSON of Westmoreland County being sick and weak of body but of perfect sence and memory thanks be to God and calling to mind the mortality of my body and knowing that it is to say principally and first of all I give and recommend my Soul into the hands of Almighty God that gave it me and for my body I recommend it to the Earth to be buryed in a Christian like and deacent manner at the discretion of my Executor hereafter mentioned, nothing doubting but at the general resurrection I shall receive the same again

Mary Bailey

>> Print <<

♀ Abt 1661 - Aft 1702 (~ 42 years)

Name	Mary Bailey	
Born	Abt 1661	Cople Parish, Westmoreland County, Virginia
Gender	Female	
Died	Aft 1702	Cople Parish, Westmoreland County, Virginia
Person ID	I023776	Tree1
Last Modified	10 Aug 2018	

Father	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Mother	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Family ID	F14589	Group Sheet | Family Chart

Family 1	Robert Smith, **b.** Abt 1657, Kent County, Maryland, **d.** 1 Sep 1702, Westmoreland County, Virginia - Inventory (Age ~ 45 years)	
Married	Abt 1678	Westmoreland County, Virginia
Children	1. Robert Smith, **b.** Bef 1692, **d.** 29 Jan 1749/50, Cople Parish, Westmoreland County, Virginia - Probate (Age > 58 years)	
Last Modified	10 Aug 2018	
Family ID	F14154	Group Sheet | Family Chart

Family 2	Robert Johnson, **b.** Abt 1661, Northumberland County, Virginia, **d.** Abt 28 Mar 1707, Cople Parish, Westmoreland County, Virginia (Age ~ 46 years)	
Married	Bef 1 Sep 1702	Cople Parish, Westmoreland County, Virginia
Last Modified	10 Aug 2018	
Family ID	F14588	Group Sheet | Family Chart

Notes

- James Hughes 2005-07-01 10:44:40
  Burgess Family and Relatives

  Westmoreland County, Virginia Will Book page 124-125. Stephen Bailey made his Will in Westmoreland County, as follows: In the name of God Amen. I Stephen Bailey of the parish of Cople, being sick and weak in body, but of sound and perfect memory do make, constitute and appoint this my last Will and Testament in manner and form following, Imprimis I commit my soul to God, that gave it hoping through the Merits and Satisfaction only of my dear Lord and Savior Jesus Christ to obtain the forgiveness of my sins anda blessed resurrection to everlasting life, and my body to be buried at the discression of my Executors hereafter named and as for what worldly estate, the Lord hath been pleased to Lend me I give and bequeath as followeth, after my Debts and Funeral paid,

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Item. I give unto Anne Smith my daughter, one small Iron Pot and a wearever pAnne and my gray mare, branded S.B. to her and her heirs forever.

Item. I give unto Anne Bailey daughter of Stephen Bailey, deceased, one heifer called Doll, and all her female increase, the said heifer to be and remain in the hands of John Bailey and delviered with all the female increase to the said Anne at 16 years of age or day of marriage which first happens and the male increase to John Bailey for his trouble; but in case the said Anne die before the said Time, then the said Heifer and Increase to be divided among John Bailey's children.

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Item. I give unto my daughter Mary Smith one shilling.

Item. I give unto my son John Bailey, Anne Smith and William Bailey all the residue of my personal Estate whatsover, to be equally divided amongst them at their own discression immediately after my decease, Lastly I make constitute and appoint my loving sons John Bailey and William Bailey Exors. of this my last Will and Testament.

In witness whereof this my last will and Testament. In Witness whereof I have hereunto sett my hand and seal the 8th day of December 1696. Sealed and published in presence of us Stephen Baly (Seal) Henry Rosse Samll Damanville Thomas Bee. Westmoreland set.

At a court held for the county the 23 day of February 1697. The Last Will and Testament of Stephen Baily proved by the Oath of the witnesses threto subscribed and a probate there of granted to John Bailey and William Bailey the Executors therine named, and or to be Recorded. Recorded Deed Book No 2 at page 129.
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Contributed by Edward White

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Mary Bailey

Abt 1661 - Aft 1702 (~ 42 years)

Name	Mary Bailey	
Born	Abt 1661	Cople Parish, Westmoreland County, Virginia
Gender	Female	
Died	Aft 1702	Cople Parish, Westmoreland County, Virginia
Person ID	I023776	Tree1
Last Modified	15 Aug 2018	

Father	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Mother	Mary Jeters, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Family ID	F14588	Group Sheet | Family Chart

Family 1	Robert Smith, **b.** Abt 1657, Kent County, Maryland, **d.** 1 Sep 1702, Westmoreland County, Virginia - Inventory (Age ~ 45 years)	
Married	Abt 1678	Westmoreland County, Virginia
Children	1. Robert Smith, **b.** Bef 1692, **d.** 29 Jan 1749/50, Cople Parish, Westmoreland County, Virginia - Probate (Age > 58 years)	
Last Modified	15 Aug 2018	
Family ID	F14153	Group Sheet | Family Chart

Family 2	Robert Johnson, **b.** Abt 1661, Northumberland County, Virginia, **d.** Abt 28 Mar 1707, Cople Parish, Westmoreland County, Virginia (Age ~ 46 years)	
Married	Bef 1 Sep 1702	Cople Parish, Westmoreland County, Virginia
Last Modified	15 Aug 2018	
Family ID	F14587	Group Sheet | Family Chart

Notes

- James Hughes 2005-07-01 10:44:40
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Anne Bailey

Abt 1662 - Aft 1731 (~ 70 years)

Name	Anne Bailey	
Born	Abt 1662	Northumberland County, Virginia
Gender	Female	
Died	Aft 1731	Westmoreland County, Virginia
Person ID	I086164	Tree1
Last Modified	15 Aug 2018	

Father	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Mother	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Family ID	F14588	Group Sheet | Family Chart

Family	Nicholas Smith, **b.** Abt 1658, Kent County, Maryland, **d.** 25 Feb 1730/31, Westmoreland County, Virginia - Probate (Age ~ 73 years)	
Married	Abt 1678	Westmoreland County, Virginia
Children	1. Peter Smith, **b.** Abt 1678, Westmoreland County, Virginia, **d.** 12 May 1741, Westmoreland County, Virginia - Probate (Age ~ 63 years) 2. Nicholas Smith, **b.** Abt 1680, Westmoreland County, Virginia, **d.** Aft 1733, Prince William County, Virginia (Age ~ 54 years) 3. James Smith, **b.** Abt 1682, Westmoreland County, Virginia, **d.** 31 Mar 1714, Cople Parish, Westmoreland County, Virginia - Executor Bond (Age ~ 32 years)	
Last Modified	15 Aug 2018	
Family ID	F30952	Group Sheet | Family Chart

Notes

- WCO 1731-39, p.148James Hughes 2005-07-01 10:44:40
  Burgess Family and Relatives

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John Bailey

♂ Abt 1660 - 1736 (~ 76 years)

Name	John Bailey	
Born	Abt 1660	Cople Parish, Westmoreland County, Virginia
Gender	Male	
Died	22 Apr 1736	Westmoreland County, Virginia - Probate
Person ID	I023779	Tree1
Last Modified	15 Aug 2018	

Father	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Mother	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	21 May 1660	Northumberland County, Virginia
Family ID	F14588	Group Sheet | Family Chart

Family	Elizabeth MNU Bailey, **b.** 28 Sep 1664, Westmoreland County, Virginia, **d.** Bef 1736, Cople Parish, Westmoreland County, Virginia (Age < 71 years)	
Married	Abt 1680	Cople Parish, Westmoreland County, Virginia
Children	1. Stephen Bailey, **b.** 1687, Cople Parish, Westmoreland County, Virginia, **d.** 28 Aug 1753, Cople Parish, Westmoreland County, Virginia - Probate (Age 66 years) 2. John Bailey, **b.** Abt 1690, Cople Parish, Westmoreland County, Virginia, **d.** Bef 2 Jul 1733, Westmoreland County, Virginia (Age ~ 43 years) 3. Elizabeth Bailey, **b.** 1692, Cople Parish, Westmoreland County, Virginia, **d.** 1794, Yeocomico, Westmoreland County, Virginia (Age 102 years) 4. Mary MNU Young, **b.** Bef 1700, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1742, Prince William County, Virginia (Age > 44 years) 5. James Bailey, **b.** 1705, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1778, Cople Parish, Westmoreland County, Virginia (Age > 74 years) 6. James {Addl Records} Bailey, **b.** 1705, Westmoreland County, Virginia, **d.** Aft 1778, Westmoreland County, Virginia (Age > 74 years)	
Last Modified	15 Aug 2018	
Family ID	F14589	Group Sheet | Family Chart

Notes

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  WESTMORELAND COUNTY DEEDS & WILLS. 1734-1736: Pg 278a-279
  IN THE NAME OF GOD, Amen. I JOHN BALY of County of Westmorland and the Parish of Cople do being in perfect sences memory and remembrance praised be God dow make and point this my Last Will and Testament in maner and form following.
  Imprimses I bequeth my sole into the hands of Allmighty God my heavenly Father hopeing that through the merets of my blessed Lord and Saviour Jesus Christ through his sufring for the sins of the world to obtain free parding and forgiveness of all my sins and to have a joyfull resuractine to everlasting life; And as for my body to be buried at the discretion of my Executor here after menconed, And as for my worly goods it hath pleased God to bestow upon me, I give and bequeve for ( ) and beloved Son. JAMES BALEY, all my Lands. goods and all that being unto me in singular my plantation on which I now live with all houses orchards gurdings houses and previleges and upertinances belonging there unto the Plantation on which I now live containing abought one hundred acres of land and the pece of land on which my Son in Law. EDWARD YOUNG, lives abought sixty acres and all that do belong into me I do frely, give confirm and make over to my Son, JAMES BALEY and his heirs for ever with all rights and in trest and more do make and apoint him my sd, Son, Executor of all. In Wittness my hand and seale this Eleventh day of June and in the yere of our Lord God 1729
  THOMAS SMITH, JOHN his marke BALY
  HUGH THOMAS
  Westmorland ss, At a Court held for the said County the 30th day of March 1736
  This Last Will and Testament of JOHN BAILEY, deceased, was presented into Court by JAMES BAILEY, his Son and Executor (STEPHEN BAILEY, Eldest Son and heir at Law being present in open Court expressed consent to the proof thereof) the said JAMES BAILEY made Oath thereto and being proved by the Oaths of THOMAS SMITH and HUGH THOMAS, witnesses thereto, is dmitted to Record; And upon the mocon of the said Executor and his performing what is usual in such cases, Certificate is granted him for obtaining a Probate thereof in due form
  Test G. TURBEVILE, C. C. W.
  Recorded the 22d day of April 1736, pr. G. T., C. C. W.
  ===
  James Hughes 2005-07-01 10:44:40
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Bailey-Britton Family History Book
Westmoreland Co VA
Cople Parish
Deed book 8...page 229
1733
John Bailey "the elder" to James Bailey, land in the forest of Cople Parish, 50 acres, plantation whereon Edward Young now lives, between Yeocomico and Nominy, part of a tract of 250 acres sold to Eleomas More {Thomas Moore}, 1679 and his wife Margaret, by deed bearing date 1683-several exchanges - and made over unto Stephen Bailey 1684, The 50 acres herein mentioned, Stephen Bailey by will of 1697 to his son John Bailey, party of these presents. John "the elder" seems to infer that John Jr. was living at this date; however, he was dead by 1735, when his wife Elizabeth made a deed of gift to her son William Bailey, eldest son of John Jr

_____
Early Settlers of Lee Co VA...vol.1...page 29
John Baley, presumably the above John, son of Stephen, made his will in 1729, probated 1736, mentions only one son, James. But at probate, Stephen Bailey, eldest son, was present and gave his consent to the proof thereof. This John was known as, John the elder, therefore we may assume he also had a son,John, but did not mention him in his will. This son,John Jr died before his father
===
Wills of Westmoreland County, Virginia
BAILEY, JOHN, Senr., 11 Jan. 1776; 26 Mar. 1776. Wife Elizabeth land whereon I live; son Stephen mill, 100 acres land and 2 negroes; dau. Anne and her husband Markham Marshall; sons John and James Bailey land; grand son Stephen Bailey 50 acres land
===
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=252&last=&g_p=G2&collection=NN Grant
Title Bayley, John.
Publication 1 September 1696.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 203 acres along a swamp, adjoining Robert Midleton, Peter Smith.
Source: Northern Neck Grants No. 2, 1694-1700, p. 252 (Reel 288).
===

=== Research notes from Edward White

Order Book 1675-1689, 382, Dorman Part 4. 10, 2/24/1684/5 JOHN BAYLIE and appraiser of VINCENT SMITH's will. Over 21? birth bef 1664.

Proprietorship Patent to JOHN BAILEY [Bayley]. 203 acres adjoining ROBERT MIDDLETON,PETER SMITH & the land of BAILEY (BAYLEY). Library of Virginia Northern Neck Grants 1694-1700, No. 2, p. 252, Reel 288, 9/1/1696.Begin at a small chestnut standing by a swamp dividing this from ROBERT MIDDLETON1. Running several courses of the swamp to a white oak corner tree of said Middleton2. NW 90/ 1485' to corner white oak of the land of PETER SMITH

DW 2-89, 10/21/1696, 1/27/1696/7. JOHN BAYLY to WM WALKER west 100 acres of a 203 acres tract m&b description bounded by land of MIDDLETON, PETER SMITH and land of BAYLY, refers to survey. Deed said the conveyance was to repay WALKER for the survey cost. ELIZABETH his wife is in the warranty section, but did not sign.

DW 3-149, p. 35 Patent 12/7/1706 to HUGH DUNAHAW 48 acres in forest between Nominy andYeocomico adj Geo. Lamkin, dec, formerly Vinc. Cox, dec; John Bailey's land formerly Mr. JohnQuigley's, and land formerly Nicholas and Robert Smith.. [See 40 acre sale by James in 1779 below, landfrom Hugh Durham.]

Order Book 1721-1731, 148, 5/31/1727 JOHN BAILEY, "am ancient man" petitions to be relieved of county levies as he is an "object of charity

DW 8-228, 2/5/1733/4, 2/26/1733/4. JOHN BAILEY, THE ELDER of Cople Parish to Son JAMES BAILEY Gift 5s 50 acres in the forest of Cople between the Yeocomico and Nominy, part of two hundred and fifty acres binding on (? WHOTHONs Whetsons's (?)) Land. Beginning at aHickory in sight of RICHARD DUNAHAW's House and extending North fifty degrees West or NorthWest half point West forty four pole to a red Oak. in sight of RICHARD DUNAHAW, from thenceextending South thirty three degrees West or South West by South one hundred and twenty pole to a redOak of ROBERT SMITH. from thence West one hundred and thirty pole to a white Oak, thence Southten degrees West or South and by West sixty poles to a Hickory, corner tree, thence North eighty fivedegrees East or East halfe a point North one hundred poles to a while oak, thence North forty ninedegrees East or North East a quarter of a point East one hundred and ninety poles lo the first begining,which Fifty acres of land was formerly vested in one RICHARD SEARLES Recites: Richard Searle hadthe property. On Jan. 10, 1679, Searle rightly relinquished all his right title and interest in the 50 acresto Thomas Moore and Margaret his wife by deed bearing date Feb. 5, 1683, who conveyed the land toMiles Goreham and Susannah his wife, which by their endorsement on the back of the deed September13, 1684 did convey and make to STEPHEN BAILEY the fifty acres of land which passed under StephenBailey's will of 1697. Same plantation where Edward Young lives. Signed John Bailey, Elder (mark)bond at p. 170. Wit: Jno. Sutton, Robert R. Moore, Garland Moore.

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http://colonial-settlers-md-va.us/

Mary Jefers

1630 - Aft 1697 (> 68 years)

Name	Mary Jefers	
Born	1630	England
Gender	Female	
Died	Aft 1697	Westmoreland County, Virginia
Buried	Old Rappahannock County, Virginia	
Person ID	I071673	Tree1
Last Modified	15 Aug 2018	

Family ID	F33074	Group Sheet | Family Chart

Family 1	Robert Sharp, **b.** 1615, England, **d.** 30 Sep 1655, Northumberland County, Virginia - Inventory (Age 40 years)	
Married	Abt 1646	Northumberland County, Virginia
Last Modified	15 Aug 2018	
Family ID	F33059	Group Sheet | Family Chart

Family 2	William Walker, **b.** 1622, England, **d.** 20 May 1657, Northumberland County, Virginia - Probate (Age 35 years)	
Married	Bef 20 Jan 1655/56	Northumberland County, Virginia
Children	1. William Walker, **b.** 1657, Northumberland County, Virginia, **d.** 1685, Northumberland County, Virginia (Age 28 years)	
Last Modified	15 Aug 2018	
Family ID	F14602	Group Sheet | Family Chart

Family 3	Stephen Bailey, **b.** Bef 1637, Gloucestershire, England, **d.** 23 Feb 1696/97, "Kinsdale", Westmoreland County, Virginia - Proved (Age > 60 years)	
Married	21 May 1660	Northumberland County, Virginia
Children	1. John Bailey, **b.** Abt 1660, Cople Parish, Westmoreland County, Virginia, **d.** 22 Apr 1736, Westmoreland County, Virginia - Probate (Age ~ 76 years) 2. Mary Bailey, **b.** Abt 1661, Cople Parish, Westmoreland County, Virginia, **d.** Aft 1702, Cople Parish, Westmoreland County, Virginia (Age ~ 42 years) 3. Stephen Bailey, **b.** Abt 1662, Westmoreland County, Virginia, **d.** Bef 1697, Westmoreland County, Virginia (Age ~ 34 years) 4. Anne Bailey, **b.** Abt 1662, Northumberland County, Virginia, **d.** Aft 1731, Westmoreland County, Virginia (Age ~ 70 years) 5. William Bailey, **b.** Abt 1670, Westmoreland County, Virginia, **d.** 31 Jan 1748/49, Westmoreland County, Virginia - Probate (Age ~ 79 years)	
Last Modified	15 Aug 2018	
Family ID	F14588	Group Sheet | Family Chart

Notes

- ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  Mary Walker her deposition.
  Mary Walker the late wife of Robert Sharpe deceased
  aged 25 years or there abouts sworn and examined saith that
  the inventory that Mr. Hugh Lee presented to the court of
  the estate of Robert Sharpe deceased being appraised to the
  value and sum of four thousand sixty and five pounds of
  tobacco and cask is a true and ajust inventory.
  Signum Mary Walker
  20th January 1655, Jurat in court
  ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  [Page 65 L]
  John Meekes his will.
  In the name of our Lord God everlasting, I John
  Meekes being very sick and weak but in perfect memory do
  and according as it is fit bequeath my soul to God With
  whom I hope I shall rest and my body to the earth from
  whence it came. Imprimus • I will and bequeath that which I
  have unto Mary Sharpe, furthermore my will is that at the
  term of two years after my decease that John Coleman the
  son of Richard Coleman shall have one cow calf if there fall
  any the second year after my decease furthermore my will is
  that Rebertah Laud the daughter of Robert Laud shall the
  second year after my decease have one cow calf if in case
  there falleth any at the time afore named. In witness whereof
  I have hereunto set my hand and seal the three and twenty
  day of October in the year of our Lord 1655.
  The mark of John Meekes
  The markof Wm. Warder
  William Jeffars
  The mark of Robert Laud
  ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  Mary Laud her deposition.
  Mary Laud aged 34 years or there abouts sworn and
  examined saith that in November last or there abouts at John
  Meekes his funeral Wm. Jeffars and his sister who is now
  the wife of Wm. Walker (fell out) and she bid him go to his
  whore the Fidlers wife. Wm. Jeffars made and swore and

said, do not say so sister for she is an honest woman, the said Jeffars his sister replied again and said she is a whore and I will prove it, and further this dependent saith not.
Signum - Mary Laud
21st July 1656, Jurat in court

Henry Haylor his deposition,
Henry Haylor aged 37 years or there abouts sworn and examined saith, that about a month since this dependent being at the house of John Walker, Wm. Walker and his wife came into the said house the said Wm. Walkers wife and Wm. Thomas his wife fell to words and Wm. Walkers wife told the said Wm. Thomas his wife that she would beat her the said Thomas his wife replied that she would give her as good as she brought if fire brands would do it upon which Walkers wife struck the said Thomas his wife and threw her down upon a chest and did there beat her but the said Thomas his wife did not strike the said Walkers wife in this dependents sight and further this dependent saith not.
Signum - Henry Haylor
21st July 1656, Jurat in court.

Wm. Little his deposition.
Wm. Little aged 43 years or there abouts sworn and examined saith that about the beginning of this instant July this dependent Wm. Walker and his wife being at John Walker his house where Wm. Thomas and his wife now dwelleth the two woman, Walkers wife and Thomas his wife began to leer and to be in very high terms so far that the said Walkers wife ran towards the said Thomas his wife but what blows were given this dependent can not say by reason of a partition which debarred this dependent from the sight of them but this dependent heard the said Thomas his wife cry out and further this dependent saith not.
William Little
21st July 1656, Jurat in court
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
[page 102 L]
Wm. Walker and Mary Walker their assignment pattent and land to Wm. Bacon.
Pattent is recorded [----] huius libra in George Knotts [----] and assigned to John Meekes.
Be it known unto all men that I William Walker and Mary Walker for good and valuableconsideration partin .hand received and specially passed for the remainder with which satisfaction we are both well satisfied do hereby assign and set over all our right title and interest of this pattent of land with all ediffices and trees orchards and priviledges there unto belonging unto William Bacon his heirs, extrs, admtrs or assignees forever from us our heirs, extrs, admtrs or assignees forever and do bind our selves and our heirs to acknowledge it in court when the said Wm.Bacon or his assignees shall demand it, witness our hands January 27th 1656.
William Walker
signum Mary Walker
Teste - William Thomas, John Walker
6th February 1656, this assignment was acknowledged in court by Wm. Walker and Mary Walker and is recorded.
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
[Page 84 R]
Robert Sharpes certificate for 50 acres of land.
At a court held for the County of Northumberland the 21st of November 1653.
Commission present;
Col. John Mottrom
Mr. Wm. Presly
Mr. John Trussell
Mr. Nicholas Morris .
These are to certify that according to sufficient [-----] made to this court there is due to Robert Sharpe 50 acres of land for the transportation of Mary [----] into this colony.
comand at curis act is curid [--].
Mr. Th. Wilsford Clir. this.

Mary Sharpes assignment of a certificate for land.
IMary Sharpe the widow of Robert Sharpe do here by assign all my right of this certificate unto [-----] Thomas Broughton, witness my hand the 20th of [----] 1655.
Mary Sharpe her mark
Witness - William Walker
21st July 1656 this assignment of Mary Sharpes [-----] the certificate was recorded.
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 243
Northumberland County Court 21st of May 1660
- Upon the Peticon of WILLIAM JEFFER that STEPHEN BAILY, whoe married with the Relict of WM WALKER, deced., hath in his tuicon his Wifes Brother which Orphan the sd, BAILY doth much abuse, It is therefore ordered that the sd, Orphan (WM. WALKER) shall forthwith be removed from the said BAILEY's, remaine with the sd. JEFFER till further order & that the said BAILY make his appeareance at the next Orphans Court
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 251
Northumberland County Court 21th of July 1660
- Upon hearing of the difference depending betweene WILLIAM JEFFARS and STEPHEN BAILY, It is ordered that each pity shall Beare his owne charges &

	that if hereafter the sd p;ties shall bring any more such Lytigious, vexatious & turbulent suits into the Court about Quarrelling & Scandalizing each other, then to be fined or punished at the Courts discrecon, And it is further ordered that WILLIAM WALKER, the Sonne of Mr WM: WALKER, deced., shall continue and remaine with STEPHEN BAILY, whoe married with the Relict of the sd. WALKER, deced., according to the Will of the said deced

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William Walker

♂ 1622 - 1657 (35 years)

Name	William Walker	
Born	1622	England
Gender	Male	
Died	20 May 1657	Northumberland County, Virginia - Probate
Person ID	I023792	Tree1
Last Modified	15 Aug 2018	

Father	Virginia Walker	
Family ID	F00236	Group Sheet | Family Chart

Family 1	Female MNU Austin, **b.** Abt 1626, **d.** Bef 1654, Northumberland County, Virginia (Age ~ 27 years)	
Married	Bef 1644	Northumberland County, Virginia
Children	1. John Walker, **b.** Abt 1644, England, **d.** Bef 21 Jul 1660, Northumberland County, Virginia (Age ~ 16 years) 2. William Walker, **b.** 1646, Northumberland County, Virginia, **d.** 1727, Westmoreland County, Virginia (Age 81 years)	
Last Modified	15 Aug 2018	
Family ID	F13890	Group Sheet | Family Chart

Family 2	Mary Jefers, **b.** 1630, England, **d.** Aft 1697, Westmoreland County, Virginia (Age > 68 years)	
Married	Bef 20 Jan 1655/56	Northumberland County, Virginia
Children	1. William Walker, **b.** 1657, Northumberland County, Virginia, **d.** 1685, Northumberland County, Virginia (Age 28 years)	
Last Modified	15 Aug 2018	
Family ID	F14602	Group Sheet | Family Chart

Notes

- ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  William Walker his will.
  In the name of God Amen, I William Walker being sick [--] but of perfect memory do make this my last will [---] testament as followeth
  Item - I bequeath my soul to [-----] Almighty and my body to the earth to be buried in Christian burial.
  Item - I do give unto my eldest son John Walker two hundred acres of land being part of my divident upon the Yeocomoco and at the head of the divident next to the miles end.
  Item - I do give unto my son William Walker to hundred acres of land joining upon my son John Walker in the same divident.
  Item - I give and bequeath unto my youngest son William Walker two hundred thirty nine acres ofland laying by the West side of my divident the which 239 acres of land I do give unto my well beloved wife during her natural life and if it please God that my youngest son and my wife do die that then the said 239 acres of land to come to my middle son Wm. Walker.
  Item - I do give unto my eldest son John Walker unto my friend Wm. Colman for the term of seven years and then at term of seven years my son to be at his own dispose to choose where he will be provided that the said William Colman shall find and provide for him sufficient meat drink washing and lodging and to teach him for to read perfect English in the term aforesaid and if the said Wm. Colman do die during the said term then my son to be at his own dispose.
  Item - I do give unto my beloved wife Mary Walker my son Wm. Walker untill he doth come to the age of eighteen years and I do give moreover unto my wife all my worldly substance moveable and unmoveable excepting only what I have disposed as above said and in case that my middle son Wm. Walker be ill used in his minority then he to have redress for it according to the judgement of this court, and I do make my beloved wife Mary Walker my executrix of this my last will and testament as doth witness my hand this tenth of March 1656.
  William Walker
  Witness - John Walker, the mark of Henry Hayler
  20th May 1657, this will was proved in open court by the
  oaths of John Walker and Henry Hayler.

  Edward White Notes: [As used herein: Middle son named William, child of Austin is Wm. II, Youngest son named William, child of Mary Jeffers is Wm. III. Walker's wife Mary soon married Stephen Bailey. The grant of an unconditional life estate to the wife was unsual for the day. By law the wife could renounce a will and take her statutory 1/3 share of the real estate for her life. This gave her much more. In addition, most such devises expired upon the wife's re-marriage. This did not. Therefore she and her new spouse Stephen Bailey could reside there as long as she lived.
  What is peculiar about this will is that it contained no residue clause of the real estate unless one stretches the term " all my worldly substance moveable and unmoveable" to include real property. Specifically unmentioned is the patent of 200 acres, which may have been disposed of by his death.]
  ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  Mary Walker her deposition.
  Mary Walker the late wife of Robert Sharpe deceased
  aged 25 years or there abouts sworn and examined saith that
  the inventory that Mr. Hugh Lee presented to the court of
  the estate of Robert Sharpe deceased being appraised to the
  value and sum of four thousand sixty and five pounds of
  tobacco and cask is a true and ajust inventory.
  Signum Mary Walker
  20th January 1655, Jurat in court
  ===
  Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
  Mary Laud her deposition.
  Mary Laud aged 34 years or there abouts sworn and
  examined saith that in November last or there abouts at John
  Meekes his funeral Wm. Jeffars and his sister who is now
  the wife of Wm. Walker (fell out) and she bid him go to his
  whore the Fidlers wife, Wm. Jeffars made and swore and
  said, do not say so sister for she is an honest woman, the
  said Jeffars his sister replied again and said she is a whore
  and I will prove it, and further this dependent saith not.
  Signum - Mary Laud
  21st July 1656, Jurat in court

Henry Haylor his deposition,
Henry Haylor aged 37 years or there abouts sworn and examined saith, that about a month since this dependent being at the house of John Walker, Wm. Walker and his wife came into the said house the said Wm. Walkers wife and Wm. Thomas his wife fell to words and Wm. Walkers wife told the said Wm. Thomas his wife that she would beat her the said Thomas his wife replied that she would give her as good as she brought if fire brands would do it upon which Walkers wife struck the said Thomas his wife and threw her down upon a chest and did there beat her but the said Thomas his wife did not strike the said Walkers wife in this dependents sight and further this dependent saith not.
Signum - Henry Haylor
21st July 1656, Jurat in court.

Wm. Little his deposition.
Wm. Little aged 43 years or there abouts sworn and examined saith that about the beginning of this instant July this dependent Wm. Walker and his wife being at John Walker his house where Wm. Thomas and his wife now dwelleth the two woman, Walkers wife and Thomas his wife began to leer and to be in very high terms so far that the said Walkers wife ran towards the said Thomas his wife but what blows were given this dependent can not say by reason of a partition which debarred this dependent from the sight of them but this dependent heard the said Thomas his wife cry out and further this dependent saith not.
William Little
21st July 1656, Jurat in court
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
Elizabeth Walker her deposition.
Elizabeth Walker aged 48 years or there abouts sworn and examined saith, The very same verbatim that Robert and Ann Bradshawe hath deposed and further this dependent saith that the said Thomas Hayle said that if his daughter came to look for anything that Thomas Sheapheard should give her twelve pence for her portion and further this dependent saith not. .
20th March 1655, Jurat in cour
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
William Walker his deposition.
William Walker aged 33 years or there abouts sworn and examined saith, That about two months since John Ayres being at this dependents house sold all his right and title to a boar unto Robert Laud which frequented with the said Lauds hogs about two or three days after the said Laud had so bought it he killed the boar, this dependents child going to the said Lauds house, at his return home told the marks of the boar which the said Laud had killed according to his knowledge unto Wm. Jeffes, John Powell being present immediately went to the said Lauds house and desired this dependent and William Jeffes to go with him supposeing to be of his mark bearing, come to the house John Powell took up the ears of the boar and said that them ears were of his mark and the next day after the the said Powell caused the boar to be fetched away from the said Lauds house, Richard Ball carried the body of the said boar and the said Powell carried the head the mark of the said boar to this dependents best knowledge was cropt and a hole in one ear and the other ear slit from the top to the bottom and a piece taken out from behind the ear further this dependent saith 'that John Ayres who [---] Robert Laud and he agreed about the said boar sold, told the said Laud that if there were a hole in either of the ears it was none of his hogs and the said Laud delivered a canoe unto the said Ayres in consideration of the boar and further this dependent saith not
William Walker
20th March 1655, Jurat in court.
===
Northumberland County Record Book 1652 -1658: ©Peter's Row - 2002
[page 102 L]
Wm. Walker and Mary Walker their assignment pattent and land to Wm. Bacon.
Pattent is recorded [----] huius libra in George Knotts [----] and assigned to John Meekes.
Be it known unto all men that I William Walker and Mary Walker for good and valuableconsideration partin .hand received and specially passed for the remainder with which satisfaction we are both well satisfied do hereby assign and set over all our right title and interest of this pattent of land with all ediffices and trees orchards and priviledges there unto belonging unto William Bacon his heirs, extrs, admtrs or assignees forever from us our heirs, extrs, admtrs or assignees forever and do bind our selves and our heirs to acknowledge it in court when the said Wm.Bacon or his assignees shall demand it, witness our hands January 27th 1656.
William Walker
signum Mary Walker
Teste - William Thomas, John Walker

6th February 1656, this assignment was acknowledged in
court by Wm. Walker and Mary Walker and is recorded.
===
Contributed by Edward White

Northumberland County Record Book 1652-1658. Transcribed by Frank V. Walczyk, Peters Row, Corant, NY, 2002
Page 99(I) Oct. 24, 1655 Edward Diggs to Richard Holden. 600 acres bound SE on Yeocomico, SW on land of Robert Smith, NE on land of William Walker running thence 640 poles [2 miles] into the woods. 300 of which part was Holden's patent of 10/13/1653, the residue of the patent of 639 acres to Wm. Walker of 10/19/1653. Grant only not fee. [That is more than confusing, but it does show that the Holden patent was southeast of Walker's patent.]

P. 102(I) 1/27/1656, rec. 2/6/1656 William and Mary Walker assign and set over all rights of this patent to William Bacon. Bill of sale to heirs and assigns, etc. Bacon then sells to Wm. Thomas. Apparently this was a part of John Walker's land.]
===
1657-1661 Order Book Northumberland Co Va; Antient Press: Pg 243
Northumberland County Court 21st of May 1660
- Upon the Peticon of WILLIAM JEFFER that STEPHEN BAILY, whoe married with the Relict of WM WALKER, deced., hath in his tuicon his Wifes Brother which Orphan the sd, BAILY doth much abuse, It is therefore ordered that the sd, Orphan (WM. WALKER) shall forthwith be removed from the said BAILEY's, remaine with the sd. JEFFER till further order & that the said BAILY make his appeareance at the next Orphans Court
===
WESTMORELAND COUNTY DEEDS & WILLS. 1726-1729; Pg 90-91
THIS INDENTURE made this twelfth day of December in ye year of our Lord one thousand seven hundred & twenty seven Between MOSES HOPWOOD of ye Parish of Farnham & County of RICHMOND of one part & THO: ASBURY of ye Parish of Cople & County of Westmoreland of ye other part; Witnesseth that MOSES HOPWOOD in consideration of ye sume of Two thousand pounds of tobacco to him in hand paid by THO: ASBURY. ye receipt whereof he doth hereby acknowledge, hath and by these presents Both bargain and sell uno., ye sd THO. ASBURY his heirs all that One hundred acres of land being part of a Patent granted to one WM: WALKER & by ye sd. WALKERs Last Will & Testament given & devised to WM; WALKER, his Son, & by ye sd. WALKER the Younger sold & conveyed unto SAMLL. EARL & by ye sd. EARL sold to one THOS: DURHAM & by ye sd. DURHAM his last Will & Testament given and devised unto GERRARD BALL & by ye sd BALL sold & conveyed to ROBERT SPARROW, & by ye sd. SPARROW, sold & conveyed to RICHARD HOPWOOD & by the Last Will & Testament of ve sd. HOPWOOD. given & devised unto ye aforesd MOSES HOPWOOD. his Son, ye sd Land being bounded by the Lands of WM. BAYLEY, ye land of ROBERT BENNETT, the land of WM. GARLAND & ye head of a Creek with all its rights members & appurtenances together with all houses orchards & other hereditaments belonging. To have and to hold ye sd. One hundred acres and all other the premises and appurtenances unto THO. ASBURY his heirs; And MOSES HOPWOOD for himself and his heirs against the claime of any person shall warrnt and for ever defend by these presents: In Wittness whereof the parties abovenamed have interchangeably sea their hands & seals ye day & year first above written
Sealed and delivered in ye presence of
RICHARD HAMMACK. MOSES HOPWOOD
MORRIS his mark MURFEY
Westmoreld, ss. At a Court held for the sd. County the 31st day of January 1727 MOSES HAYWOOD personally acknowledged this Deed of Land by him passed to THOMAS ASBURY to be his proper act and deed. And ELIZABETH. Wife of the said MOSES HOPWOOD. personally relinquished her right of Dower and Thirds in and to the Lands by the said Deed conveyed, and at the mocon of him, the sd. ASBURY, the same is ordered to be recorded Test G. TURBERVILE, C. C. W.
Recorded the 10th day of February 1727
===
CAVALIERS AND PIONEERS PATENT BOOK No. 3; Pg 228
WILLIAM WALKER, 639 acs. Northumberland Co., 19 Oct. 1653, P. 1. Abutting S. E. upon Yeocomico Riv. & S. W. upon land of Robert Smith, etc. Trans. of 13 pers: Edmd. Peters, Jon. Stubberd, Jon. Haman, Tho. Burbadge, Tho. Placenett, Peircey Hamon, Modlin Burford, Wm. Wood, Wm. Finch, Susan Collins, Eliz. Smith, Geo. Court. Note: "36 acres the overplus is in Jarnew's Pat."
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CAVALIERS AND PIONEERS PATENT BOOK No. 3; Pg 319
WILLIAM WALKER, 839 acs., 2 Oct. 1655, p. 392. 630 an. in Nortl umberland Co., S. E. upon Yeocomoc Riv. & S. W. upon land of Richat Holdin. 200 acs. S. E. upon sd. Riv & N. E. towards John Earles Plantatim which tract is comonly called Bloys' land. 600 granted him 10 Oct. 165 & 200 acs. for trans. of 4 pers: Wi Liam Tagle, Thomas Price, Elizabe Sullivant, John —.
===
CAVALIERS AND PIONEERS PATENT BOOK No. 4; Pg 400
WILLIAM WALKER, 839 acs. Northumberland Co., 30 Oct. 1662, p.
1, (427). 639 acs. S.Ely. upon Yeocomoco Riv., S.Wly. upon land of Richard Holder ;& 200 upon a creek towards John Earles plantation, which 200 acs. is comonly called Bloyces land. Renewal of patent dated 24 Oct. 1655.
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=4&last=&g_p=P3&coll ection=LO Patent
Title Walker, William.
Publication 19 October 1653.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Northumberland County.
Description: 639 acres S. Et. on Yeacomico River adjoining land of Robert Smith.
Source: Land Office Patents No. 3, 1652-1655, p. 4 (Reel 2).
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=392&last=&g_p=P3&co llection=LO Patent
Title Walker, William.
Publication 24 October 1655.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Northumberland County.
Description: 839 acres -630 acres S. Etly. on Yeocomoco River; S. Wtly. on the land of Richard Holdin and 200 acres more, S. Etly on Yeocomoco River S. Wtly. on the said land, N. Etly. on a creek towards John Earles plantation.
Source: Land Office Patents No. 3, 1652-1655, p. 392 (Reel 2).
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=378&last=&g_p=P3&co llection=LO Patent
Title Walker, William.
Publication 24 October 1655.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Northumberland County.
Description: 839 acres 639 acres part hereof S. Etly. upon Yeocomoco River. S. Wtly. on the land of Richard Holder-200 acres the residue S. Etly. on Yeocomoco River, &c. which last 200 acres is commonly called Bloyce' land.
Source: Land Office Patents No. 3, 1652-1655, p. 378 (Reel 2).
=== for William Jr.
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=427&last=&g_p=P4&co llection=LO Patent
Title Walker, William.
Publication 30 October 1662.
Gen. note "Formerly gtd. sd. Walker, Oct, 24, 1655; and now renewed."
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Northumberland County.
Description: 839 acres 639 acres part thereof southeasterly on Yeocomoco River, So. easterly on the land of Richard Holden-200 acres the residue, commonly called Bloyces land. .
Source: Land Office Patents No. 4, 1655-1664, p. 427 (Reel 4).

WD.DW-06/95

VIRGINIA COUNTY COURT RECORDS

DEED & WILL ABSTRACTS of WESTMORELAND COUNTY, VIRGINIA 1736-1740

This book contains pages 308-344a of Westmoreland County Deeds & Wills No. 8, 1723-1738; and pages 1-40 of Westmoreland County Deeds & Wills No. 9, 1738-1744.

Edited & Published by Ruth & Sam Sparacio
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p. (On margin: TUCKERs Deed and Bond to NEWTON, Gent. further proved)
314 Deed and Bond recorded vid. 304)

Westmorland ss. At a Court held for the said County the 31st day of May 1737 JAMES LEWIS, an Evidence to a Deed of Feoffment for Land, and a Bond for the performance of the Covenants thereof passed from HENRY TUCKER to WILLOUGHBY NEWTON, Gent., and not being at Court when the said Deed and Bond were proved by the other witnesses to them subscribed, came now into Court and proved the said Deed and Bond upon Oath according to Law, and on mocon of the said NEWTON the same is admitted to Record Test G. TURBERVILE, C.C.W.

Recorded the Seventeenth day of June 1737, pr. G.T., C.C.W.

pp. (On margin: BAILEYs Lease to LANE)
314- THIS INDENTURE made the fourteenth day of December in the tenth year of the
315a Reign of our Sovereign Lord George the Second by the grace of God of Great Britain France and Ireland, King, Defender of the faith &c., And in the year of our Lord one thousand seven hundred thirty and six, Between ELIZABETH BAILEY of Cople Parish and Westmorland County, Widow and Relict of JOHN BAILEY, JUNIOR (late of said County, deceased), and WILLIAM BAILEY of PRINCE WILLIAM County, Eldest Son of said JOHN and ELIZABETH, of one party and WILLIAM LANE of the Parish of Cople and County of Westmorland of other part; Witnesseth that ELIZABETH and WILLIAM BAILEY in consideration of the sum of Five shillings current money of Virginia to them in hand paid by WILLIAM LANE, whereof said ELIZABETH and WILLIAM doth hereby acknowledge the receipt, hath and by these presents doth bargain and sell unto WILLIAM LANE all that parcel of land containing Seventy acres be the same more or less scituate on the Branches of NOMINI RIVER in the Parish of Cople and County of Westmorland and within the bounds of one thousand acres of land first granted to WILLIAM BAILEY and HOWARD HARDEY by Patent dated the twenty second day of March 1669 and being part of one hundred acres of land formerly purchased by JAMES COLEMAN of JOHN PYECRAFT by Deed bearing date the tenth day of January 1716 may more fully appear; which Land JAMES COLEMAN by his Last Will and Testament bearing date the twenty second day of March 1722 gave and devised to his Son, RICHARD COLEMAN, who sold the same to the aforesaid JOHN BAILEY, JUNIOR and ELIZABETH his Wife for other lands in Exchange as by Deed dated the twentieth day of June may more at large appear, the seventy acres of land be the same more or less is bounded by the Land of said WILLIAM LANE, the Land of GEORGE WALKER, the land of PETER SMITH and the Land formerly WILLIAM HARPER; And the reversions and remainders thereof; To have and to hold the land and premises with appurtenances unto WILLIAM LANE and assigns during the term of one year next ensuing to the intent that by virtue thereof and of the Statute for transferring uses into possession WILLIAM LANE may be in the actual possession of the lands and enabled to accept a release of the same unto him his heirs; In Witness whereof the parties to these presents their hands and seals interchangeably have sett the day and year first above written

Signed Sealed and delivered in the presence of
Test JNO: SUTTON, JOHN FRESHWATER, ELIZABETH her mark E BAILEY
RICHD: his mark. R HAMMOCK WILLIAM BAILEY

Westmorland ss. At a Court held for the said County the 31st day of May 1737 This Deed of Lease for Land passed from ELIZABETH BAILEY, Widow, and WILLIAM BAILEY, her Son and heir, to WILLIAM LANE was proved in open Court as the Law directs by the Oaths of JOHN SUTTON, JOHN FRESHWATER and RICHARD HAMMOCK, wit-

proper acts and deeds, which at the instance of the said GEORGE TURBERVILLE is admitted to Record

Recorded the Eleventh day of August 1741 Test GEORGE TURBERVILE, C. W. C.

pp. 181-182 WILLIAM BROWN of County of Westmoreland & Parish of Washington to all whome this present Writing shall come, Greeting; Know ye that WILLIAM BROWN as well in consideration of the natural and fatherly love I have and beare unto my well beloved Son, NATHANL: BROWN, of County and Parish aforesaid, as also for divers other good causes and considerations to me at this present especially moving have and by these presents do give and confirm unto NATHL: BROWN all that Land scituate in County & Parish aforesaid and bounded as by a Survey thereof made for JOHN BINKS bearing date the 27th day of February 1723; And by said BINKS left unto WILLIAM BROWN the Survivor by agreement & granted to said BROWN as by a Proprietors Deed bearing date the nineteenth day of June 1741; To have and to hold the premises with appurtenances unto NATHL: BROWN his heirs without any claim or demand of WILLIAM BROWN or any other person; And further Know ye that I WILLIAM BROWN hath put NATHL. BROWN in peaceable and quiet possession of all the premises; In Witness whereof I have hereunto set my hand and seale this Twenty fifth day of August 1741

WILLIAM BROWN

Westmoreland ss. At a Court held for the said County the 25th day of August 1741 WILLIAM BROWN personally acknowledged this Deed of Gift of Land by him passed to his Son, NATHL: BROWN to be his proper act and deed which at the intances of the said WILLIAM is admitted to Record

Recorded the 2nd day of Septr. 1741 Test GEO: TURBERVILLE, C. W. C.

pp. 182-184 THIS INDENTURE made the last day of July in the fifteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith &c., And in the year of our Lord one thousand seven hundred and forty one; Between JOHN MARMADUKE of County of Westmoreland and WINIFRED his Wife of one part and JAMES McDANIEL of the same County of other part; Witnesseth that in consideration of the sum of Eight pounds current money and Eleven hundred pounds of tobacco to JOHN MARMADUKE in hand paid by JAMES McDANIEL, the receipt whereof JOHN MARMADUKE doth hereby acknowledge, hath and by these presents doth bargain and sell unto JAMES McDANIEL his heirs all that piece of land scituate in Parish of Cople in County of Westmoreland containing by estimation Sixty six acres be the same more or less formerly purchased by one PATTY HALE of one STEPHEN SELF and JANE JOICE his Wife and by them conveyed to PATTY HAILE by Indentures of Lease and Release bearing date the Eighteenth and Twentieth days of September in the year of our Lord one thousand seven hundred and fourteen, and afterwards sold and conveyed by PATTY HAILE to one JOHN FROUD (Father of the above named WINIFRED by Indenture of Feoffment bearing date the twenty fourth day of September one thousand seven hundred and seventeen), which JOHN FROUD by his Last Will and Testament in Writing bearing date the fourth day of March in the year one thousand seven hundred and seventeen gave and devised the same to WINIFRED, Wife of JOHN MARMADUKE, party to these presents, in fee simple as by the said several Indentures and Will proved and recorded in the Court of the County of Westmoreland may appear; And all houses orchards, profits and appurtenances to the same belonging; To have and to hold the land and premises unto JAMES McDANIEL his heirs and JOHN MARMADUKE and his heirs the premises unto JAMES McDANIEL his

heirs against the lawfull title claim and demand of every person shall warrant and for ever defend by these presents; In Witness whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written
Sealed and delivered in the presence of

CHARLES BEALE, JOHN MARMADUKE
WILLIAM ROGESTER, WINIFRED MARMADUKE
JNO: HARRISON

Received the last day of July 1741 of JAMES McDANIEL the sum of Eight pounds & Eleven hundred pounds of tobacco it being the consideration money within mentioned to be by him paid to me.

Witness CHARLES BEALE JOHN MARMADUKE

Westmoreland ss. At a Court held for the said County the 25th day of August 1741 JOHN MARMADUKE and WINIFRED his Wife (she being first privately examined according to Law) personally acknowledged this Deed of Bargain and Sale of Land by them sold and conveyed to JAMES McDANIEL, together with the Receipt for the consideration endorsed to be their proper act and deed which at the instance of the said McDANIEL are admitted to Record

Recorded the third day of September 1741

Test GEORGE TURBERVILE, C. W. C.

pp. 184-185 Westmoreland County ss. George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith &c. To JOHN ELLIOTT, WILLIAM TYLER, JOHN WATTS, ROBERT VAULX and CHARLES ASHTON of County aforesaid, Gentlemen, Greeting; Wee do hereby authorize and impower you or any two or more of you at such time and place as you shall appoint (some time before the next Court to be held for the County aforesaid) to take privy examination of MRS. JANE MONROE, Wife of ANDREW MONROE of the said County, Gent., apart from her Husband touching her willingness and unconstrained assent and consent with her Husband to the passing of certain Deeds of Lease and Relese (bearing date the twenty second and twenty third days of August in the Ninth year of the Reign of our Sovereign Lord George the Second and in the year of our Lord God one thousand seven hundred and thirty five which Deeds were personally acknowledged in the Worshipfull Court of this County by ANDREW MONROE on the Twenty sixth day of August in the last year above said, and then recorded in the County Records for conveying her right of Dower to one certain tract of land containing One hundred and thirty acres be the same more or less lying in Parish of Washington in County of Westmoreland unto NATHANIEL GRAY of aforesaid County, Planter, (the Commission for the privy examination of JANE, Wife of ANDREW MONROE); herein you are not to fail; Witness GEORGE TURBERVILLE Clk. of said County Court the first day of August in the fifteenth year of our Reign

GEO: TURBERVILLE, C. W. C

Westmoreland ss. By Virtue of the within Commission to us directed we have privately examined JANE MONROE, Wife of ANDREW MONROE, Gent., tuching her willingness and unconstrained assent and consent to passing certain Deeds of Lease and Release to Mr. NATHANIEL GRAY, to which said JANE MONROE freely consents to .relinquish her Rights without any constraint; Given under our hands this 24th day of Augsut 1741

WILLIAM TYLER
JOHN WATTS

Westmoreland ss. At a Court held for the said County the 25th day of August 1741 This Commission for the privy examination of MRS. JANE MONROE , Wife to ANDREW MONROE, Gent., touching her willingness and unconstrained assent and consent with

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Peter Smith of Westmoreland Count

Peter Smith: Some of his Virginia, North Carolina and Kentucky Descendants. By Pearl O D.C.

Showing posts with label **Fleming Alexander**. Show all posts

Sunday, October 16, 2011

Thomas Smith, Son of Peter Smith of Westmoreland County, Virginia

Thomas Smith sold land to Daniel Jenings in 1747 and the sale is on record in Deed Book B, No. 1, of Fairfax County, Virginia. It reads:

"Indenture made the 14th day of April 1747 between Thomas Smith of Truro Parish in Fairfax County, planter, of the one part and Daniel Jenings...witnesseth that the said Thomas Smith for and in consideration of the sum of 100 pounds current money of Virginia...paid by Daniel Jenings...sold a piece or parsel of land containing 325 acres of more or less which Peter Smith, father of Thomas Smith, by his last will and testament dated 10th day of January 1738 did give and bequeath unto his son Thomas Smith; ...being part of 1160 acres of land granted by the proprietors of the Northern Neck of Virginia by deed to the said Peter Smith bearing the date of 30th day of June 1712, which said 325 acres of land is where the said Thomas Smith now dwelleth at Bull Run adjoining to the land of his brother James in the aforesaid parish of Truro of the county of Fairfax, and all houses, outhouses and edifices, building, trees and woods, etc. ...Thomas Smith set his hand and affixed his seal the day and year first above written."

In Fairfax County Deed Book B, page 237, "Thomas Smith acknowledges this to be his act to Daniel Jennings and Elizabeth, the wife of said Smith being privately examined and relinquished her right of dower to said land." [Here is evidence that Thomas Smith's wife was named Elizabeth (Fleming)]

Having sold the 35 acres in Fairfax County that he inherited from his father, Thomas Smith leased land in Prince William County, Virginia, in 1749. The transaction is recorded in Prince William County Deed Book L, page 197, and reads:

"Lease. Dated 22 May 1749. Recorded 22 May 1749. Between Francis Watts of Prince William County and Thomas Smith of same. Consideration: 500 pounds of tobacco annually on 25 December. Tract of land for the term of space 99 years in Prince William County on Bull Run containing 103 acres more or less. Thomas Smith covenants to build a sufficient dwelling house and tobacco house and corn house and to plant an apple orchard or 100 trees. First rent to begin December 25, 1751. Witnesses: John Combs, Obed Calvert."

Thomas Smith died before September 12, 1778, for on that date, an inventory of his estate was presented, as follows:

"Prince William County, Virginia, Will Book G, page 10.

"We the subscribers being first sworn have proceeded to inventory Sept the 12th 1778 an inventory of the Estate of Thomas Smith decd. Presented to our view by the administrator.

"To one lease of Francis Watts for ninety-nine years, seventy years of which is to come, appraised to 100 L. [Inventory amounted to 135 L 0 S and 3 D. Items will not be listed here.] Prince William pet. Signed: John Anderson, Robert Spittle and John Woodyard, sworn before John Flood."

"At a court held for Prince William County the 5th of Oct. 1778 this Inventory and Appraisement of the Estate of Thomas Smith dec'd was presented to the County and admitted to record.

"Test. Robert Graham Cl. Court"

• • •

"The Estate of Thomas Smith Decd with Charles Smith Admr.

"Cr. September 1778 by amount of the Inventory L 135 0 3

	L	S	D
"To Elizabeth Smith widow her third part of the estate		45	0 1
"To Fleming Smith one ninth part of the remainder of the estate per receipt	10	0	0
"To John Smith ditto per receipt of his brother-in-law John Gibbs	10	0	0
"To John Gibbs for one ninth per receipt		10	0 0
"To Elizabeth Smith one ninth ditto		10	0 0
"To my own share of the estate (Charles Smith)		10	0 2
"The balance remaining in my hands for Daniel Smith, Thomas Smith, Peter Smith and James Smith, sons of the Deceased now in the State of South Carolina for each L 10	40	0	0
	L 135	0	3

"Note the Debts owed by the deceased have been all paid by the children, the charges of the administration to be hereafter settled and paid by the several claimants time not permitting the inclusion of them in this account by the administrator.

"(Signed) Charles Smith"

Acknowledgements of receipt of the amounts set forth above, for the stated "part" or "share" of estate, were signed by Elizabeth Smith, Fleming Smith, Elizabeth Smith [daughter], John Gibbs, John Gibbs for John Smith. Some bore the date "28th Sept 1778" and others "5th day of Oct. 1778."

In his History of Spartanburg County, 1900, Dr. J. B. O. Landrum included a chapter headed "Smith Family," beginning on page 208. Dr. Landrum stated that just before the Revolutionary War five brothers from Bull Run, Virginia, settled in Spartanburg County, South Carolina. He named James, Fleming, Thomas, John, and Charles and told of some of their descendants. He stated that their mother was a Miss Fleming.

While the father's name was not mentioned and sons Daniel and Peter were omitted, those he did mention

are sons named in the will of Thomas Smith of Prince William County, Virginia. It is the opinion of some present-day descendants of this family that Dr. Landrum erred in saying that Miss Fleming was born in France and that the father (Thomas Smith) was born in Wales. One researcher asserts that Elizabeth Fleming was born in 1710 in Richmond County, Virginia, the daughter of Alexander and Sarah (Kenny) Fleming. I have made no attempt to verify this statement. However, Thomas Smith, being the son of Peter Smith of Westmoreland County, Virginia, is not likely to have been born in Wales.

Fleming Smith and his brother Charles served in the Revolutionary War from South Carolina. Fleming moved his family, in 1802, from South Carolina to Cumberland County, Kentucky. That portion of the county in which he lived later became Monroe County, Kentucky. Fleming made application for pension on June 3, 1833, in the state of Kentucky, Application No. S-30708. Pension payments began in March 1833 and the last payment was made on March 4, 1847, according to records in National Archives, Washington, D. C. In Kentucky Family Records, Volume VI, 1977-78, page 77, it is said that Fleming Smith is buried in the cemetery of the Old Mulky Meeting House in Monroe County, Kentucky.

In 1767, a dispute arose over the dividing line between the land he had sold to Jenings and the land owned by James Smith. The controversy was between the heirs of Jenings and the heirs of James Smith. George Mason of Gunston Hall (the George Mason of our history books) was chosen to "arbitrate" the issue. See his award in Appendix A.

Posted by manderskids at 10:17 PM No comments: g+1 Recommend this on Google

Labels: Fleming Alexander, Fleming Elizabeth, Gibbs John, Jennings Daniel, Smith Charles, Smith Daniel, Smith Fleming, Smith James, Smith John, Smith Peter, Smith Thomas, Watts Francis

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PETER SMITH HISTORY

One of the earliest Peter Smiths found in Virginia came from London, England 4 July 1635 on the ship "TRANSPORT". He was aged 25 years. This would place his birth ca 1610. He could very well be the Peter Smith Sr. of Yeocomico, Virginia that was granted 500 acres of land for the transportation of 10 persons.

On the 25 February 1684 Peter Smith Sr. asked to prove the will of his dec'd brother Vincent Smith of Northumberland County, Virginia.
This Peter Smith Sr. was living as late as 1692.

KNOWN ISSUE:
1-William Smith
* 2-James Smith
* 3-Peter Smith

*2-JAMES SMITH:
Of Westmoreland County, Virginia. 15 June 1684 to my brother Peter Smith of Yeocomico County, Virginia, to Hannah Breel, wife of Henry Breel of Northumberland County, Virginia, only daughter and child of James Smith dec'd of Westmoreland County, Virginia. To Peter Smith our said intrest in said lands 13 May 1706.

*3-PETER SMITH:
Found in Westmoreland County, Virginia as early as 1684. No name of his wife has been found. His will was dated 10 January 1738 Probated 28 April 1741 in Westmoreland County, Virginia.

ISSUE:
A-1-PETER SMITH
B-2-JAMES SMITH
C-3-THOMAS SMITH
D-4-WILLIAM SMITH
E-5-JOHN SMITH
F-6-MARY SMITH
G-7-ANNA SMITH
H-8-MARTHA SMITH
I-9-HANNAH SMITH
J-10-ABIGAIL SMITH
K-11-ANN BAILEY (GRANDAUGHTER)

NOTE:
WIFE OF PETER SMITH SR OR JR. COULD HAVE BEEN A SANFORD ?.

A-1-PETER SMITH:
WILL: Westmoreland County, Virginia 1 April 1774 August 1774.

MARRIED: SARAH BAKER, daughter of William Baker, son of John Baker.

ISSUE:
1-Peter Smith
2-John Smith
3-Mary Holloway
4-Dorcas Neale
Grandsons-Peter Smith and William Turner
Grandaughter- Elizabeth Turner

B-2-JAMES SMITH:
WILL: Probated 24 September 1751 in Fairfax County, Virginia the same time as his brother Williams.

MARRIED: ? ELIZABETH PRESLEY, Daughter of Peter Presley.

ISSUE:
1-Peter Smith (M) Agness To Spartanburg County, S.C. by 1778
2-William Smith (M) Catherine To Spartanburg County, S.C.
3-Pressley Smith
4-Ann Smith

NOTE:
Peter Presley had a daughter Jane Presley who (M) 1st Richard Rogers (M) 2nd Christopher Neale.

C-3-THOMAS SMITH:
BORN: 1710 Westmoreland County, Virginia

MARRIED: ELIZABETH FLEMING

ISSUE:
1-James Smith (B) 20 June 1751 Prince William County, Virginia (D) 11 September 1840 Union County, S.C. His Revolutionary War Pension Papers say he was (B) 9 June 1751 in Prince William County, Virginia. He enlisted 15 September 1778 as a private in Captain John Thomas's Company, under Major John Ford and Major White in Spartanburg County and Union County, S.C. Removed to Spartanburg County, S.C. before 1772 and lived there some years, then to Union County, S.C. and still there in 1832. (M) 1st Elizabeth who (D) 11 December 1810 in Union County, S.C. (M) 2nd Martha Howard, she (D) 9 November 1840 in Union County, S.C.

ISSUE: BY 1st WIFE ELIZABETH
1-John Fleming Smith (B) 14 March 1793 (D) 26 December 1861.
2-Elizabeth Smith (B) 29 March 1797 (D) 2 October 1841 Single
3-Priscilla Smith (D) 25 September 1843 (M)

Joseph Smith, grandson of William Smith of Bucks County, Pennsylvania.
4-Ann Newton Smith (B) 1802 (M) 1st James Tolleson (M) 2nd James Eubanks to Gilmer County, Georgia, to Calhoun County, Alabama.
5-Sarah Smith (M) John Eubanks to Calhoun County, Alabama.
6-Enoch Smith (B) 19 May 1806 Spartanburg County, S.C. (D) 10 June 1885 (M) Jane Moore.

2-Thomas Smith never married

3-Elizabeth Smith still a Smith in 1778

4-Daughter (M) John Gibbs to Prince William County, Virginia.

5-Daniel Smith supposedly returned from S.C. to Virginia

6-John Smith
ISSUE:
1-Thomas Smith to Georgia
2-Susannah Smith (M) Thomas Fince
3-Sanford Smith
4-Aaron Smith

7-Fleming Smith (B) December 1745 Fairfax County, Virginia (D) 27 August 1847 in Monroe County, Kentucky (M) Prudence Bland (B) 1750 (D) after 1795 in Cumberland County, Kentucky. From Spartanburg County, S.C. to Kentucky in 1833. A Revolutionary Soldier from Spartanburg County, S.C.
ISSUE:
1-Dorcas Smith (M) John Page
2-James Smith (M) Nancy Hughes
3-Samuel Smith (M) Polly Barker
4-John Smith (M) Sally
5-Aaron Smith
6-Sanford Smith

8-Charles Smith (B) 15 June 1742 Prince William County, Virginia (D) 7 April 1824 Spartanburg County, S.C.. A Revolutionary Soldier. (M) Catherine Rhodes in 1760. Members of Cedar Springs Church in Spartanburg, S.C.
ISSUE:
* 1-Elijah Smith (B) 19 April 1767 (M) Dianna Hamm
2-Sanford Smith (B) 1 October 1768 (D) Adm. 1825 (M) Mary Morrow.
ISSUE:
1-Nancy Morrow
2-Martha Morrow
3-Moses Smith Single
4-Daniel Smith (M) Elizabeth Trail, his will adm. 9 March 1815.
5-Aaron Smith To Mississippi and Missouri
6-Martha Smith (M) Hugh White
7-Abigail Smith (M) Joseph Golightly
8-William Smith (D) by 1825 (M) Sallie Trail
9-Mary Smith (M) George Sloan
10-Elizabeth Smith (B) 29 May 1793 (M) Robert Page Jr. To Hamilton County, Ilinois.

11-Rachel Smith (B) 1781 (M) James Page
12-Ann Smith (M) William Page

NOTE:
These Page's were sons of Robert Page and Rachel Brockman

D-4-WILLIAM SMITH:
WILL: Probated 24 September 1751 same time as his brother James. In Fairfax County, Virginia.

MARRIED: LETITIA HANCOCK
Daughter of Catherine Smith and John Hancock. Catherine was the daughter of Edward Smith and Lettice Green. Edward Smith (D) 1698 and Lettice Green Smith (M) 2nd Burr Harrison (B) 1637 England and (D) 1706 Stafford County, Virginia. Descendants to S.C.
ISSUE: OF EDWARD SMITH AND LETTICE GREEN
1-William Smith (M) Lettice Barton
2-Catherine Smith
3-Edward Smith Jr.

ISSUE: OF WILLIAM SMITH AND LETITIA HANCOCK
1-Lettice Smith (M) Mr Reardon of Virginia
2-Hancock (John) Smith (M) Jane. In Berkeley County, S.C. by 1773 and Spartanburg County, S.C. by 1778.
3-William Smith (M) Catherine. To Berkeley County, S.C. to Spartanburg County, S.C.
4-James Smith (B) 1748 Prince William County, Virginia near Bull Run (D) 1817 Spartanburg County, S.C. (M) August 1770 Orange County, N.C. Jane Ross, daughter of James Ross of Orange County, N.C.

Jane Ross Smith was living in 1778. They moved from Virginia to Orange County, N.C. to Spartanburg County, S.C. before the Revolutionary War. Members of Cedar Springs Church.
ISSUE:
1-Matilda Smith (M) Ambrose Stone. To Marion County, Alabama by 1844.
2-Letitia Hancock Smith (M) David Lynch. To Clarke County, Georgia by 1827
3-Mary Smith
4-One daughter and one son died in child birth
5-Susannah Smith (M) Barnett Campbell. To Georgia by 1842.
6-George L. Smith (D) in Georgia 3 March 1867
ISSUE:
1-Dr. Jubilee Smith of Americus, Georgia
2-George B. Smith
3-Daughter To Arkansas
4-Grandson John T. Smith
7-William Henry Smith (B) 1771 (D) 1773
8-William Ross Smith (B) 1773 (D) 1818
9-James Smith Jr. (B) 1782 (D) 1856
10-John Hancock Smith (B) 1787 (D) 1827
11-Catherine Smith (B) 1798 (D) 1875 (M) Moses Stone to Spartanburg County, S.C.
ISSUE:
1-Regina Minerva Stone (M) Dr. James Wright Tracy. To Cleveland County, N.C.

NOTE:
Jane Ross was the daughter of James Ross and Margaret of Orange County, N.C.. James Ross left a will 11 December 1792 proved August 1793.

NOTE:
WILL OF WILLIAM SMITH:
I William Smith of County of Fairfax in Colony of Virginia three sons Hancock, James and William.
Wife: Letitia Smith
On September 24 1751 Letitia Smith executor, presented the will for probate. Wit: Hugh Thomas, William Moon and James Turley.

Hancock and William Smith of Berkeley County, S.C. appointed their brother James Smith of Orange County, N.C. attorney to take all steps necessary for the dorking the intail of a tract of land in the County of Fairfax, Colony of Virginia, left us by our Father William Smith. Dated 19 May 1773.

E-5-JOHN SMITH:
Apparently he was dead when his Father Peter Smith wrote his will in 1738. To the heirs of my son John Smith.

F-6-MARY SMITH (M) Mr Fleming

G-7-ANNA SMITH:
Inv. of estate returned 16 December 1719 (M) Hugh Thomas, his will 16 November 1717 probated 14 August 1718.
Wife: Anna was living when he wrote his will.
ISSUE:
1-Daniel Thomas
2-Hugh Thomas

H-8-MARTHA SMITH:
MARRIED: William McClanahan, his will 15 September 1760 probated 29 October 1771 in Westmoreland County, Virginia.
Son of William McClanahan and Dorothy Mooney.
He owned land in Richmond County, Virginia.
ISSUE:
1-Daughter (M) Garland Moore, son of Jane Moore

ISSUE:
1-Robert Moore
2-Garland Moore
3-Peter Moore
4-McClanahan Moore
5-Martha Moore

2-Thomas McClanahan
3-Peter McClanahan
4-William McClanahan (B) 1733 Virginia (D) 1802 S.C. (M) Mary Marshall (B) 1738 Virginia (D) 1809 Kentucky.

5-James McClanahan
6-John McClanahan

I-9-HANNAH SMITH:

MARRIED: John Ware

J-10-ABIGAIL SMITH:

MARRIED: William Fleming WILL: 7 January 1767 28 April 1767 Westmoreland County, Virginia.

ISSUE:
1-John Fleming
2-William Fleming
3-Elizabeth Fleming (M) Thaddeus Jackson
4-Martha Fleming

K-11-ANN BAILEY GRANDAUGHTER

NOTE:
From Landrums History of South Carolina, five brothers from Bull Run, Prince William County, Virginia came to Spartanburg County, S.C. before the Revolutionary War. Charles, Fleming, James, Thomas and John Smith. Each one of these five brothers had a son named Aaron and Sanford. These five brothers were sons of a Thomas Smith and their Mother was a Fleming.

ANCESTORS AND DESCENDANTS

OF

SMITHS

Compiled and Indexed by

Linda G. Cheek
Easley
South Carolina

Peter Smith

Peter was born on 11 Aug 1641 in Swallowfield, Berkshire, England. He married Jane Barnes.
He died on 29 Jun 1691 in Northumberland, Virginia.

They had the following children:

Peter Smith

Peter Smith

Peter was born on 27 Dec 1663 Westmoreland, Virginia. He married Mary Bayley. He died in 22 April 1741 Yeocomico, Westmoreland, Virginia.

They had the following children:

Sarah Smith
James Smith
Thomas Smith
Anne Smith
Martha Smith
Peter Smith

Thomas Smith

Thomas Smith was born and reared in the southern part of Westmoreland County. It is believed that his date of birth was between 1700 and 1710. This is based on the birth date of Elizabeth, his wife, and the birth of their children, the first of whom appears to have been born about 1740.Thomas married Elizabeth Fleming of Richmond County, Virginia. Richmond County lies along the western side of Westmoreland County. Elizabeth, born February 18, 1710, was the daughter of Alexander Fleming and Sarah Kennedy Fleming, Elizabeth's parents married in 1691. Elizabeth's mother, Sarah, was the daughter of John Kennedy of Rappahannock County. Elizabeth's father, Alexander, died a few months after she was born. When Thomas' father, Peter Smith, made his will in 1738, Thomas and Elizabeth were living in Prince William County, Virginia on the 325 acres of land subsequently left to him in his father's will. This land was a part of the 1160 acres of land that Peter patented in 1712. When Fairfax County was formed from Prince William County in 1742, the land was in Fairfax County. In 1747, Thomas sold his land to Daniel Jennings: This Indenture made the fourteenth day of April 1747 between Thomas Smith of Truro Parish in Fairfax County, planter, & Daniel Jennings of same ... for the sum of one hundred pounds current money of Virginia ... sells 325 acres ... which Peter Smith, father of said Thomas, by his last will and testament dated the 10th day of January 1738, did give & bequeath unto his son, Thomas Smith ... being part of 1160 acres granted ... to Peter Smith bearing date 30th June 1712 which said 325 acres of land is where the said Thomas Smith now dwelleth at Bull run adjoining to the land of his Brother, James ... In

presence of Robt. Wicklift, Leonard Dozer, Robt. Lindsy, James Smith, John X Cavener. Signed Thomas Smith. 21 July 1747 ... Elizabeth, wife of Thomas Smith relinquished her right of dower.The same day Elizabeth relinquished her dower, Thomas borrowed five hundred pounds current Virginia money from Daniel Jennings. On 22 October 1747, Daniel Jennings paid Thomas the one hundred pounds for the 325 acres of land. In 1749, Thomas leased 133 acres of land for 99 years, across Bull Run Creek in Prince William County. The lease is shown on the following page. This Indenture made this 22nd day of May in the year of our Lord one thousand seven hundred and forty nine Between Francis Watts of the County of Prince William of one part and Thomas Smith of the aforesaid County of the other part Witnesseth that said Francis Watts doth agree with said Thomas Smith for the Fee Rent of Five hundred pounds of tobacco doth Lease farm lett and make over to the said Thomas Smith a parcel of land for the space of Ninety nine years being in the County of Prince William on Bull Run and bounded Beginning at a marked Beech thence South East to a Spanish Oak Corner tree thence No. East to Bull Run thence up the said Run to the beginning the same containing One hundred and Thirty three acres of land and the said Thomas Smith doth agree to build a suffishen dwelling house and tobacco house and Corn house and to plant an Apple Orchid of one hundred and fifty trees and to keep them under good fence in good repare and not make wilfull waste of the Timber and the rent to become due on the twenty fifth day of December yearly after the first three years is compleated and not to be straneable until three months after same shall become dew and to be payed in one Note at some convenient Warehouse every year and the first rent to become dew the twenty fifth of December in the year one thousand seven hundred and fifty one. As Witness I have set my hand and seale in presence of John Combs. Signed. Francis Watts. In 1766, Thomas, Elizabeth and other members of their family were part of a group of sixty-one people who moved their membership from the Broad Run Baptist Church in Fauquier County, Virginia to establish the Chappawamsic Baptist Church in Stafford County, Virginia. In 1776, Thomas, two of his sons, and other individuals petitioned the Virginia Legislature to establish a Baptist Church at Occoquan, Virginia, near their home. The Smiths listed in the petition were: Thos. Smith, James Smith and Charles Smith.[10]He died 12 September 1778 Prince William, Virginia. Thomas died in Prince William County, where he lived, in 1778. He did not leave a will but an inventory and distribution of the estate is quite detailed in describing his possessions and naming his wife and children. An extract of Thomas' inventory and its distribution, as recorded in Price William County, Virginia Will Book "G", p. 18-19 is shown below:

September the 12th 1778. An Inventory of the Estate of Thos. Smith Dec'd. presented to our view by the Administrator...

To one Lease of Francis Watts for ninety nine years

Seventy years of which is to come, appraised to..... 100.00
To 1 Cow at..... ..... 8.00
To 2 beds at..... ..... 14.00To a Cupboard..... ..... 0.12
To a Dutch oven & a Skillet..... 2.50

To a frying pan..... 0.12
To pewter..... 2.00
To Two linning wheels..... 1.00
To one old wooling wheel.....10
To Six old stand tubs..... 1.00To a hand mill..... 1.00
To Coppers Tools..... 1.00
To a grindstone and Iron pestle.. ..... 0.90
To Three old barrels and a tan tube..... 0.18
To Two tables and a Saddle tree..... 0.12
To a loom & flour tub & Candle box..... 1.23
Ð 135.03
John Anderson) John AndersonRobert Spittle) Robert (X) SpittleJohn Woodyard) John (X) WoodyardSworn before John Hood

At a Court held for Prince Wm. County this 5th Oct 1778

This inventory & appraisement of the Estate of Tho's.Smith dec'd was presented to the Court & admitted to record.Test. Robert Graham C Clk

The Estate of Thos. Smith rec'd with Charles Smith Adm.Sept 1778 By amount of the Inventory..... Ð 135.03

To Elizabeth Smith widow. her third part Ð S Dof the Estate per receipt..... ..... 45.0.1

To Fleming Smith one ninth part of theremaining of the Estate per receipt..... 10.0.0

To John Smith for Do per receipt of his Brother-in-law John Gibbs..... 10.0.0

To John Gibbs for one ninth part perreceipt..... ..... 10.0.0

To Elizabeth Smith one ninth part per do..... 10.0.0To my own share of the Estate..... 10.0.2

To balance remaining in my hand for DanielSmith, Thomas Smith, Peter Smith & JamesSmith sons of the Deceased now in the Stateof South Carolina for each Ð10... ..... 40.0.0

Ð 135.0.3
Exors Excepted

September 29th 1778

Note. the Debts due by the deceased have been all paid by the Children. The Charges of the Administration to be here to after settled & paid by the several claimants time not permitting the inclusion---of them in this account by the Administrator.
Charles Smith Received from Charles Smith the sum of forty five pounds & penny in full of my share or third part of the estate of my husband Thos. Smith Dec'd. Witness my hand this 28th Sept 1778.
Elizabeth Smith Received from Charles Smith the sum of ten pounds in full of the share or one ninth part of the estate of Thos. Smith Dec'd received for my Brother-in-law John Smith of the State of So Carolina by virture of powers from him. Witness my hand this 28th Sept 1778.
John Gibbsfor John Smith Received from Charles Smith the sum of ten pounds for my Share or one ninth part of the estate of Thos. Smith Dec'd. Witness my hand this 28th Sept 1778.
John Gibbs Received of Charles Smith the sum of ten pounds for my Share or one ninth part of the Estate of Thos. Smith dec'd. Witness my hand this 5th day of Octr 1778.
Fleming Smith Received from Charles Smith the sum of ten pounds for my Share or one ninth part of the Estate of Thos. Smith dec'd. Witness my hand this 5th day of Oct 1778.
They had the following children:
Charles Smith was born on 15 June 1742. He died on 7 April 1824

Fleming Smith was born on 12 May 1745. He died on 22 August 1847

Daniel Smith was born in 1748 Fairfax County, Virginia. He died in 1811 Henry County, Virginia.

James Smith was born on 9 June 1751. He died on 9 November 1840

Thomas Smith never married and died in Spartanburg County, South Carolina.

John Smith

Hannah Smith

Peter Smith was born in 1740

KNOW ALL MEN by these presents that I WILLIAM NICHOLAS of the Parish of Cople in County of Westmoreland, Carpenter, am held and firmly bound unto JOHN McCULLOCK of the Parish and County aforesaid in the just sum of One hundred pounds current money to which payment well and truly to be made I bind myself my heirs firmly by these presents; Sealed with my seal the Twenty eighth day of April in the fourteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord 1741

THE CONDITION of the above obligation is such that if the above bound WILLIAM NICHOLAS his heirs shall observe and keep all the Covenants which on their parts ought to be observed and kept particularly expressed in certain Deeds of Lease and Release made between WILLIAM NICHOLAS and JOHN McCULLOCK being joining to the land whereon JOHN McCULLOCK now lives according to the purport of the said Deeds, That then the above obligation to be void and of none effect, otherwise to be and remain in full force power and virtue

Signed Sealed & Delivered in presence of

CAV: DULANY, PRESLY COX, WM: NICHOLAS

B. WEEKS

Westmoreland ss. At a Court held for the said County the 28th day of April 1741 WILLIAM NICHOLAS, Son and heir of THOMAS NICHOLAS and JANE his Wife, late of this County deceased, came into Court and personally acknowledged this Bond for performance of Covenants by him passed to JOHN McCULLOCK, which is admitted to Record

Recorded the Eighth day of May 1741

Teste GEORGE TURBERVILLE, C. W. C.

pp. 140-141 IN THE NAME OF GOD, Amen. the tenth day of January 1738, I PETER SMITH of County of Westmoreland in Virginia being in health and perfect mind and memory thanks be given unto God therefore, calling to mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my Last Will and Testament, that is to say, principally and first of all I give and recommend my Soul into the hands of God that gave it and my body I recommend to the Earth to be buryed in a decent Christian buryal at the discretion of my Executor, nothing doubting but at the general resurrection I shall receive the same again by the mighty power of God. And as touching such worldly Estate wherewith it hath pleased God to bless me in this life, I give demise and dispose of the same in the following manner and form;

Imprimis. I give and bequeath to my Daughter, MARY FLEMING, Forty eight acres of land where she now lives according to the courses of a Survey that BARBER made, begining at a corner tree of WHETOTONs Land to her and her heirs for ever;

Item. I give to my Son, PETER SMITH, the remaining part of all the Land that I possess in Westmoreland County to him and his heirs for ever;

Item. I give to my Son, JAMES SMITH, three hundred and twenty acres of land in PRINCE WILLIAM County lying and being upon BULL RUN where he now lives to him and his heirs for ever;

Item. I give and bequeath to my Son, THOMAS SMITH, three hundred and twenty five acres of land in the aforesaid County where he now lives to him and his heirs for ever;

Item. I give to my Son, WILLIAM SMITH, three hundred and twenty five acres of land in the aforesaid County to his likeing out of the remaining part of the same tract of land to him and his heirs for ever;

Item. I give to my Daughter, ABIGAIL FLEMING and my Grand Daughter, ANNE BAILEY, the remaining part of that tract of land in PRINCE WILLIAM County aforesaid, my Daughter, ABIGAIL, having the first choice, to them and their heirs for ever;

KNOW ALL MEN by these presents that I WILLIAM NICHOLAS of the Parish of Cople in County of Westmoreland, Carpenter, am held and firmly bound unto JOHN McCULLOCK of the Parish and County aforesaid in the just sum of One hundred pounds current money to which payment well and truly to be made I bind myself my heirs firmly by these presents; Sealed with my seal the Twenty eighth day of April in the fourteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord 1741

THE CONDITION of the above obligation is such that if the above bound WILLIAM NICHOLAS his heirs shall observe and keep all the Covenants which on their parts ought to be observed and kept particularly expressed in certain Deeds of Lease and Release made between WILLIAM NICHOLAS and JOHN McCULLOCK being joining to the land whereon JOHN McCULLOCK now lives according to the purport of the said Deeds, That then the above obligation to be void and of none effect, otherwise to be and remain in full force power and virtue

Signed Sealed & Delivered in presence of

CAV: DULANY, PRESLY COX, WM: NICHOLAS

B. WEEKS

Westmoreland ss. At a Court held for the said County the 28th day of April 1741 WILLIAM NICHOLAS, Son and heir of THOMAS NICHOLAS and JANE his Wife, late of this County deceased, came into Court and personally acknowledged this Bond for performance of Covenants by him passed to JOHN McCULLOCK, which is admitted to Record

Recorded the Eighth day of May 1741

Teste GEORGE TURBERVILLE, C. W. C.

pp. 140-141 IN THE NAME OF GOD, Amen. the tenth day of January 1738, I PETER SMITH of County of Westmoreland in Virginia being in health and perfect mind and memory thanks be given unto God therefore, calling to mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my Last Will and Testament, that is to say, principally and first of all I give and recommend my Soul into the hands of God that gave it and my body I recommend to the Earth to be buryed in a decent Christian buryal at the discretion of my Executor, nothing doubting but at the general resurrection I shall receive the same again by the mighty power of God, And as touching such worldly Estate wherewith it hath pleased God to bless me in this life, I give demise and dispose of the same in the following manner and form;

Imprimis I give and bequeath to my Daughter, MARY FLEMING, Forty eight acres of land where she now lives according to the courses of a Survey that BARBER made, begining at a corner tree of WHETOTONs Land to her and her heirs for ever;

Item. I give to my Son, PETER SMITH, the remaining part of all the Land that I possess in Westmoreland County to him and his heirs for ever;

Item. I give to my Son, JAMES SMITH, three hundred and twenty acres of land in PRINCE WILLIAM County lying and being upon BULL RUN where he now lives to him and his heirs for ever;

Item. I give and bequeath to my Son, THOMAS SMITH, three hundred and twenty five acres of land in the aforesaid County where he now lives to him and his heirs for ever;

Item. I give to my Son, WILLIAM SMITH, three hundred and twenty five acres of land in the aforesaid County to his likeing out of the remaining part of the same tract of land to him and his heirs for ever;

Item. I give to my Daughter, ABIGAIL FLEMING and my Grand Daughter, ANNE BAILEY, the remaining part of that tract of land in PRINCE WILLIAM County aforesaid, my Daughter, ABIGAIL, having the first choice, to them and their heirs for ever;

And as for what moveable Estate it hath pleased God to bestow upon me I give and bequeath as followeth;

Item. I give and bequeath to the heirs of my Son, JOHN SMITH, one Shilling Sterling money;

Item. I give to my Son, JAMES SMITH, one Shilling Sterling money;

Item. I give to my Son, THOMAS SMITH, one Shilling Sterling money;

Item. I give to my Son, WILLIAM SMITH, one Shilling Sterling money;

Item. I give to the heirs of my Daughter, ANNE THOMAS, one Shilling Sterling money;

Item. I give to my Daughter MARY FLEMING, one Shilling Sterling money

Item. I give to my Daughter, HANNAH WARE, one Shillings Sterling money;

Item. I give to my Daughter, MARTHA McCLANAHAM, a feather bed at the discretion of my Executor hereafter named;

Item. I give to my Daughter, ABIGAIL FLEMING, one Shilling Sterling money;

Item. And the rest of my moveable Estate not already bequeathed, I give and bequeath to my Son, PETER SMITH, whom I likewise constitute make and ordain my whole and sole Executor of this my Last Will and Testament; And I do hereby utterly disallow revoke and dissannull all and every other former Testaments, Wills, Legacies and Bequests and Executors by me in any ways before named willed and bequeathed, ratifying and confirming this and no other to be my Last Will and Testament; In Witness whereof I have hreunto set my hand and seal the day and year above written

Signed Sealed Published Pronounced and Declared by
PETER SMITH as his Last Will and Testament in the
presence of us witnesses JAMES WALKER, PETER SMITH
STEPHEN BAILEY, JUNR. HUGH THOMAS

Westmoreland ss. At a Court held for the said County the 28th day of April 1741 This Last Will and Testament of PETER SMITH, deceased, being presented into Court by PETER SMITH, his Son and Executor, who made Oath thereto and being proved by the Oaths of all the witnesses thereto is admitted to Record; And upon the motion of the said Executor and his performing what is usual in such cases, Certificate is granted him for obtaining a Probate thereof in due form

Recorded the Twelfth day of May 1741

Test GEORGE TURBERVILLE, C. W. C.

pp. 141-144 THIS INDENTURE made the twenty seventh day of April in the fifteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith &c., And in the year of our Lord one thousand seven hundred and forty one, Between JOHN JETT of Westmoreland and JOHN JETT, JUNR. of County of KING GEORGE, of one part and JOHN TRIPLETT of Westmoreland County of other part; Witnesseth that JOHN JETT & JOHN JETT JUNR., in consideration of the sum of five shillings Sterling to them in hand paid by JOHN TRIPLETT, the receipt whereof is hereby acknowledged; hath and by these presents do bargain and sell unto JOHN TRIPLETT a certain parcel of Land lying in Westmoreland County and bounded; Begining at the Waiding Place Point of MATTOX CREEK and runing North along the line of THOMAS SMITH 200 poles to a red Oak, thence West along a line of marked trees to the WOLF TRAP RUN, then down the Run to the Road that crosses the Run, then down the Road East to a red Oak standing by the County Road, then South to a Hiccory on MATTOX CREEK and from thence down the meanders of the Creek to the begining; the whole containing One hundred acres more or less and all appurtenances thereunto belonging; To have and to hold the land and premises with appurtenanes unto JOHN TRIPLETT and assigns from the first day of this instant during the

WD.DW-07/95

THE ANTIENT PRESS

VIRGINIA COUNTY COURT RECORDS
DEED and WILL BOOK

WESTMORELAND COUNTY, VIRGINIA
1740 - 1742

This Antient Press publication contains entries from Westmoreland County Deed and Will Book No. 9, 1738-1744, pages 40-235.

Transcript of the Original Book by
Ruth and Sam Sparacio

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Return to normal view

Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties

Entries: 105030 **Updated:** 2015-06-22 20:45:23 UTC (Mon)

Contact: Mike [illegible]

This site attempts to reconstruct a family tree of early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties along the Potomac and Rappahannock River Valleys; >>

- *ID:* I084841
- *Name:* **Peter Smith**
- *Sex:* M
- *Birth:* ABT 1678 in Westmoreland County, Virginia
- *Death:* 12 MAY 1741 in Westmoreland County, Virginia - Probate
- *Note:*

===
Wills of Westmoreland County, Virginia , Page 110
SMITH, PETER, 10 Jan. 1738; 12 May 1741. 48 acres to my dau. Mary Fleming; son Peter land in Westmoreland; son James the land in Prince William on Bull Run where he now lives which is 325 acres; sons Thomas and William land in Prince William which is 325 acres; dau. Abigail Fleming land in Prince William; granddau. Anne Bailey land in Prince William; heirs of dau. Anne Thomas one shilling; dau. Mary Fleming one shilling; dau. Hannah Ware 1 shilling; dau. Martha McClanahan 1 feather bed; son Peter exr; heirs of son John Smith 1 shilling.
===
WESTMORELAND COUNTY DEEDS & WILLS. 1740-1742: Pg 140-141
IN THE NAME OF GOD, Amen. the tenth day of January 1738, I PETER SMITH of County of Westmoreland in Virginia being in health and perfect mind and memory thanks be given unto God therefore, calling to mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my Last Will and Testament, that is to say, principally and first of all I give and recommend my Soul into the hands of God that gave it and my body I recommend to the Earth to be buryed in a decent Christian buryal at the discretion of my Executor, nothing doubting but at the general resurrection I shall receive the same again by the mighty power of God. And as touching such worldly Estate wherewith it hath pleased
God to bless me in this life, I give demise and dispose of the same in the following manner and form.
Imprimis I give and bequeath to my Daughter, MARY FLEMING, Forty eight acres of land where she now lives according to the courses of a Survey that BARBER made, beginin g at a corner tree of WHETOTONs Land to her and her heirs for ever;

Item. I give to my Son, PETER SMITH, the remaining part of all the Land that I possess in Westmoreland County to him and his heirs for ever;
Item. I give to my Son, JAMES SMITH, three hundred and twenty acres of land in PRINCE WILLIAM County lying and being upon BULL RUN where he now lives to him and his heirs for ever;
Item. I give and bequeath to my Son. THOMAS SMITH, three hundred and twenty five acres of land in the aforesaid County where he now lives to him and his heirs for ever;
Item. I give to my Son, WILLIAM SMITH, three hundred and twenty five acres of land in the aforesaid County to his likeing out of the remaining part of the same tract of land to him and his heirs for ever;
Item. I give to my Daughter. ABIGAIL FLEMING and my Grand Daughter, ANNE BAILEY the remaining part of that tract of land in PRINCE WILLIAM County aforesaid, my Daughter. ABIGAIL, having the first choice, to them and their heirs for ever;
And as for what moveable Estate it hath pleased God to bestow upon me I give and bequeath as followeth,
Item. I give and bequeath to the heirs of my Son, JOHN SMITH, one Shilling Sterling money:
Item. I give to my Son, JAMES SMITH, one Shilling Sterling money;
Item. I give to my Son, THOMAS SMITH, one Shilling Sterling money;
Item. I give to my Son, WILLIAM SMITH, one Shilling Sterling money;
Item I give to the heirs of my Daughter, ANNE THOMAS, one Shilling Sterling money;
Item. I give to my Daughter MARY FLEMING, one Shilling Sterling money
Item. I give to my Daughter, HANNAH WARE, one Shillings Sterling money:
Item. I give to my Daughter, MARTHA McCLANAHAM, a feather bed at the discretion of my Executor hereafter named;
Item. I give to my Daughter, ABIGAIL FLEMING, one Shilling Sterling money;
Item. And the rest of my moveable Estate not already bequeathed, I give and bequeath to my Son, PETER SMITH, whom I likewise constitute make and ordain my whole and sole Executor of this my Last Will and Testament; And I do hereby utterly disallow revoke and dissannull all and every other former Testaments, Wills, Legacies and Bequests and Executors by me in any ways before named willed and bequeathed, ratifying and confirming this and no other to be my Last Will and Testament; In Witness whereof I have hreunto set my hand and seal the day and year above written
Signed Sealed Published Pronounced and Declared by
PETER SMITH as his Last Will and Testament in the
presence of us witnesses JAMES WALKER, PETER SMITH
STEPHEN BAILEY, JUNR, HUGH THOMAS
Westmoreland ss. At a Court held for the said County the 28th day of April 1741 This Last Will and Testament of PETER SMITH, deceased, being presented into Court by PETER SMITH, his Son and Executor, who made Oath thereto and being proved by the Oaths of all the witnesses thereto is admitted to Record; And upon the motion of the said Executor and his performing what is usual in such cases, Certificate is granted him for obtaining a Probate thereof in due form
Recorded the Twelfth day of May 1741
===
WESTMORELAND COUNTY ORDER BOOK, 1718-1721; pg 13

Westmoreland County Court 30th day of July 1718.
The last Will and Testament of HUGH THOMAS, deed. was presented into Court by ANN THOMAS his Exorx. who made oath thereto and proved by the oath of PETER SMITH one of the witnesses thereto to admitt to record and upon mocon of the said ANN and her performing what is usual in such cases Certificate is granted her for obtaining a Probate thereof in due form and It is ordered that WILLIAM RUST, WILLIAM TEYNEY, CHARNOCK COX &WILLIAM GARLAND or any three of them being first sworn before one of his Majesties Justices for the Peace do some time before the next Court to be held for the County aforesaid value and appraise the said TestatorsEstate in money and make report thereof to the said Court.
===
1723 Stafford County, Virginia rent rolls by James Carter 18 July 1724; 1160 acres Peter Smith; lives in Westmoreland Co.
===
=== Page 92 Wills of Westmoreland Co., VA
SMITH, NICHOLAS, 23 July 1728; 25 Feb. 1730.
Lands between Nicholas, Peter and James the sons of the said Nicholas Smith; son John 1 shilling; 1/2 of my estate to be equally divided between my three sons and three daus.
===
WESTMORELAND COUNTY, VIRGINIA DEEDS & WILLS. No. 8. Part 1
1723-1738; pages 55-56
TO ALL CHRISTIAN PEOPLE to whom these presents shall come, JOHN BROGUES of Cople Parish in Westmoreld. County, Planter, and HANNAH his Wife, right heir at Law of JAMES SMITH, formerly of the abovesd County, deced . sendeth Greeting in our Lord God everlasting, KNOW YE that we JOHN BROGUES and HANNAH his Wife for & in consideracon of the natural love & affeccon which we have bear unto our Grandson, OWEN BRINNON, being Son of OWEN BRINNON & ANNE his Wife, & for divers other consideracons we hereunto especially moving, by these presents doe give and confirm unto said OWEN BRINNON his heirs all that parcel & plantacon of Land lying in Parish & County aforesd. in the FORREST of NOMINY and is bounded: Begining as by a Deed from WILLIAM WEBB to the abovesd. JAMES SMITH, deced., on the County Record may appear. at a Chestnutt tree on the North side of the land upon the side of a Branch, thence across the land by a line of marked trees and ending at a red Oak which division was agreed by the said WEBB & SMITH and is the land whereon PETER SMITH, SENR, now lives, and was sold to said JAMES SMITH by the said WEBB for one hundred acres of land be the same more or less with all houses orchards profits & appurtenances belonging; To have and to hold the hundred acres of land with every of their appurtenances unto OWEN BRINNON his heris, to be holden to the Cheif Lord or Lords of the fee of the premisses by the rents & services for the same due & of right accusomed to be paid and JOHN BROGUES and HANNAH his Wife do promise OWEN BRINNON his heirs that at all times after the land shall remain free & clear from all incumbrances suffered by JOHN BROGUES and HANNAH his Wife; In Witness whereof we have hereunto sett our hands & affixed our seals this thirtieth day of March in the twelfth year of the reign of our Soveraign Lord King George over Great Britain and in the year of our Lord God one thousand seven hundred & twenty six, Sealed & delivered in presence of

Y, WATKINS, JOHN BROGUES
JNO: POINDEXTER HANNAH BROGUES
Westmoreland ss, At a Court held for the sd. County the 30th day of March 1726
JOHN BROGUES & HANNAH his Wife (she being first privately examined according to Law) personally acknowledged this Deed of Guift of land by them passed to OWIN BRINNON, Son of OWEN BRINNON, to be their proper act and deed, which at their isntance is admitted to Record Test THO: SORRELL, Cl
Recordat Sexto die Aprilis 1726
===
WESTMORELAND COUNTY DEEDS & WILLS. 1740-1742: Pg 111-113
THIS INDENTURE made this Eighth day of May in the fourteenth year of the Reign of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland, King, Defender of the faith and in the year of our Lord one thousand seven hundred and fourty, Between SAMUEL MOORE and JANE his Wife andJOHN MARMADUKE and WENEFRED his Wife of Cople Parish and Westmoreland County of one part and JAMES BAILEY of the same Parish and County of other part; Wit- nesseth that SAMUEL MOOR and JOHN MARMADUKE in consideration of the sum of One thousand pounds of lawful tobacco to them in hand paid by JAMES BAILEY, the Receipt whereof SAMUEL MOOR and JOHN MARMADUKE doth hereby acknowledge themselves therewith satisfied; hath and by these presents cloth bargain and sell all that parcel of land containing Fifty acres be the same more or less lying in Parish and County aforesaid, being part of One hundred and fifty acres of land which NICHOLAS SMITH, deceased, left to he divided between his three Sons, NICHOLAS, PETER and JAMES, and NICHOLAS SMITH, Son of NICHOLAS SMITH deceased, sold his part of the land to JOHN LAMKIN by a Deed of Feoffment bearing date the fourth day of September in the year of our Lord one thousand seven hundred and thirty three, and after the decease of JOHN LAMKIN the land fell to his two Daughters. WINEFRED and JANE LAMKIN, who are since intermarried to JOHN MARMADUKE and SAMUEL MOOR, with all houses orchards profts and appurtenances to the same belonging. To have and to hold the Fifty acres of land and premises with appurtenances unto JAMES BAILEY his heirs; And SAMUEL MOOR and JOHN MARMADUKE for themselves their heirs &c. the premises unto JAMES BAILEY and his heirs against the claim of any person shall warrant and forever defend by these presents: In Witness whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written
Signed Sealed and Delivered in presence of
THOMAS MOOR, SAMUEL MOOR -----,
WILLIAM GROVE JANE her mark MOOR
JOHN MARMADUKE
WENEFRED MARMADUKE
Memorandum, That on the Eight day of May in the year of our Lord God one thousand seven hundred and fourty, SAML. MOORE and JOHN MARMADUKE made livery and seizen of the lands and appurtenances within mentioned by delivering Turff and Twigg and the Ring of the Door in the name of the whole land and appurtenances within sold according to the form and effect of the Deed. in presence of us
THOMAS MOOR, WILLIAM GROVE
Received of JAMES BAILEY the sum of One thousand pounds of lawful tobacco in full

payment for the consideration within mentioned, Witness our hands this Eight day of May Anna Dom: 1740 JOHN MARMADUKE SAMUEL his mark MOOR
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 JOHN MARMADUKE and WINIFRED his Wife and SAML. MOORE and JANE his Wife came into Court and the femes being first privately examined according to Law, they all personally acknowledged this Deed of Feoffment for land by them passed sold and conveyed unto JAMES BAILEY together with Livery of Seizen thereon endorsed to be their proper act and deed, and the said JOHN and SAMUEL also acknowledged the Receipt for the consideration endorsed on the said Deed, also to be their proper act and deed, all which at the instance of the said BAILEY are admitted to Record
Recorded the Fourth day of September 1740
Teste GEORGE TURBERVILLE, C. W. C.
KNOW ALL MEN by these presents that we SAMUEL MOOR and JOHN MARMADUKE of Cople Parish and Westmoreland County do owe and stand justly indebted unto JAMES BAILEY of said Parish and County in the penal sum of Two thousand pounds of lawfull tobacco: to the which payment well and truly to be paid we bind our selves our heirs firmly by these presents, Sealed with our seals and dated the Eighth day of May in the fourteenth year of our Sovereign Lord George the Second by the grace of God of Great Brittain France and Ireland. King, Defender of the faith Annoq: Domini 1740
THE CONDITION of the above obligation is such that if the above bound SAMUEL MOOR and JOHN MARMADUKE their heirs do well and truly observe and keep all the Covenants which on their parts ought to be oberved and kept mentioned in an Indenture of Bargain and Sale made between SAMUEL MOOR and JOHN MARMADUKE of one part and JAMES BAILEY of the other part according to the true meaning of the Indenture, That then the above obligation to be void and of none effect, otherwise to stand remain and be in full force power strength and virtue
Signed Sealed & delivered in presence of
THOMAS MOOR, SAML: MOOR
WILLIAM GROVE JOHN MARMADUKE
Westmoreland ss. At a Court held for the said County the 26th day of August 1740 This Bond for performance of Covenants from JOHN MARMADUKE and SAMUEL MOOR to JAMES BAILEY was personally acknowledged in open Court by the said MARMADUKE and MOOR, and at the said BAILEYs instance admitted to Record
Recorded the Fourth day of September 1740
Test GEORGE TURBERVILLE, C. W. C
===
Prince William County, Virginia Deeds {Antient Press}: Liber I; 1745 - 1746; pp 40-45
THIS INDENTURE made the twentininth and thirtieth day of December in the eighteenth yare of our Sovereign Lord GEORGE the second and in the yeare of our Lord one thousand seven hundred fourty & five six Between BENJAMAN WICKLIFF of the Parish of Dettingan in the County of Prince William of one part and ROBT, WICKLIFF of the Parrish & County aforesaid of other part Witnesseth that the said BENJAMAN WICKLIFF for the sum of One hundred and fifty pounds current money of Virginia have sold unto the said ROBERT WICKLIFF and his heirs forever and the said ROBERT WICKLIFF being in actual! possession of all the premises herein after mentioned &

expressed by virtue of a Lease thereof made for one whole year and of the statute for transferring uses into possession a certain tract of land being in the Counties of Prince William and FAIRFAX being a PATTENT of land given and granted unto Mr. WANSFORD ARRINGTON by Deed from the PROPRIATORS OFFICE bearing date the (Lease) seventh day (Release) seventeeth day of December one thousand seven hundred and sixteen and is bounded beginning at a marked redd Oake standing on the upper side of BULL RUN on the upper side of a Branch called the ROCKY CAVE BRANCH neare opposite to the upper end of a tract of land formerly surveyed for PETER SMITH of WESTMORELAND COUNTY & extending thence North West to a Spanish Oake standing on a hill side thence North East to a Hicory standing on the said BULL RUN side on the upper side of the mouth of a small Branch thence Crossing the said Runn North East to a white Oake standing neare the head of a small Branch falling into POPES HEAD RUN thence South East to a black Oake thence South West to a corner marked white Oake standing in the said PETER SMITH line near a small black Oake saplin standing on a Ridge being corner tree to the said SMITHs land thence along the said SMITHs line West to said SMITH beginning Beach standing on the said BULL RUN side in a small Gully thence down the said Run according to the several corses and meanders thereof to the beginning redd Oake together with all houses and appurtenances to the land belon ging To Have and To Hold the said parcell of land containing Three hundred & thirty four accers unto him the said ROBERT WICKLIFF his heirs or assigns forever, In Witness whereof the sd BENJAMAN WICKLIFF have to these presents sett his hands & Seal
in presents of THOS. WHITLEDGE, BENJN, WICKLIFF
ROBT, WICLLIFF JUNR,, JAMES BLAND JUNER
JOSEPH HUTHESON, ANN HUTHESON
Att a Court held for the County of Prince William the 24th day of March 1745
BENJAMIN WICKLIFF acknowledged this Lease Release and Receipt to ROBERT WICKLIFF to be his acts and deeds which are admitted to record
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=192&last=&g_p=G1&co llection=NN Grant
Title Smith, Peter, Jr.
Publication 10 October 1692.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 70 acres beg.g &c. nigh a valley which descends into a branch of Nomony River, by a path which leades to Mr. Hulls quarter.
Source: Northern Neck Grants No. 1, 1690-1692, p. 190-191 (Reel 288).
Recorded survey available. Northern Neck Grants No. 1, 1690-1692, p. 192 (Reel 288).
====
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=252&last=& g_p=G2&co llection=NN Grant
Title Bayley, John.
Publication 1 September 1696.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 203 acres along a swamp, adjoining Robert Midleton, Peter Smith.

Source: Northern Neck Grants No. 2, 1694-1700, p. 252 (Reel 288).
===
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=92&last=&g_p=G4&col lection=NN Grant
Title Smith, Peter.
Publication 30 June 1712.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Stafford County.
Description: 1160 on the north side of the Little or Lower North Run of Occquan River.
Source: Northern Neck Grants No. 4, 1710-1712 , p. 92 (Reel 289).
===
URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=206&last=&g_p=P10&c ollection=LO Patent
Title Hunt, John.
Publication 16 December 1714.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Note Location: Fairfax County.
Description: 182 acres of land and sunken ground. Near the head of the southern branch beg.g &c. a corner tree of Peter Smiths patent.
Source: Land Office Patents No. 10, 1710-1719, p. 206 (Reel 10).
===

URL (Click on link) http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=460&last=&g_p=P31&c ollection=LO Patent
Title Smith, Henry.
Publication 26 June 1755.
Other Format Available on microfilm. Virginia State Land Office. Patents 1-42, reels 1-41.
Related See also the following surname(s): Smyth.
Note Location: Fairfax County.
Description: 184 3/4 acres adjoining the lands of Peter Smith, Woodward James Wilson and Peter Cartwright.
Source: Land Office Patents No. 31, 1751-1756 (v.1 & 2 p.1-751), p. 460 (Reel 29).
===
http://image.lva.virginia.gov/cgi-bin/GetLONN.pl?first=252&last=&g_p=G2&co llection=NN Grant
Title Bayley, John.
Publication 1 September 1696.
Other Format Available on microfilm. Northern Neck Grants, reels 288-311.
Note Location: Westmoreland County.
Description: 203 acres along a swamp, adjoining Robert Midleton, Peter Smith.
Source: Northern Neck Grants No. 2, 1694-1700, p. 252 (Reel 288).

Father: Nicholas Smith b: ABT 1658 in Kent County, Maryland
Mother: Anne Bailey b: ABT 1662 in Northumberland County, Virginia

Marriage 1 Mary MNU Smith b: ABT 1678 in Westmoreland County, Virginia

- *Married:* ABT 1694 in Westmoreland County, Virginia

Children

1. Mary Smith b: 1694 in Westmoreland County, Virginia
2. William Smith b: 1695 in Westmoreland County, Virginia
3. Anne Smith b: ABT 1696 in Westmoreland County, Virginia
4. Thomas Smith b: ABT 1706 in Westmoreland County, Virginia
5. John Smith b: ABT 1708 in Westmoreland County, Virginia
6. James Smith b: 1708 in Westmoreland County, Virginia
7. Martha Smith b: 1708 in Westmoreland County, Virginia
8. Abigail Smith b: ABT 1710 in Westmoreland County, Virginia
9. Peter Smith b: ABT 1710 in Westmoreland County, Virginia
10. Hannah Smith b: ABT 1714 in Westmoreland County, Virginia

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Peter Smith of Westmoreland Count

Peter Smith: Some of his Virginia, North Carolina and Kentucky Descendants. By Pearl O D.C.

Sunday, October 16, 2011

Appendix A - Arbitration between the heirs of Daniel Jennings and James Smith

Deed Book G, Fairfax County, Virginia, page 279.

To all Christian people to whom this present writing of award shall come, George Mason of Gunston Hall in the parish of Truro and County of Fairfax sendth greetings, whereas Peter Smith late ofWestmoreland County died seized of certain lands situate[d] lying and being upon Bull Run now in the said parish of Truro and County of Fairfax which by his last will and testament he devised to several children, and whereas divers disputes and controversies touch, and concerning the division and boundaries of the said lands have been heretofore moved and defended (?) between Elizabeth Landman widow of James Smith and William Smith the son and heirs of James Smith deceased who was one of the sons of the Devisees of the above named Peter Smith the Testator of the one part and James Jennings deceased who purchased from Thomas Smith another of the sons and Devisees of the said Peter Smith the Testator of the other part for the appeasing ending and finally determining whereof the said parties have submitted themselves and are become bound each to the other by their several obligations dated the 11th day of June 1767 in the sum of 100 pounds with conditions thereunder written for the performance of the award arbitrament by Hawson Hooe, John Hooe of the County of Prince William gentlemen and in case they should disagree in their opinion then for the performance of the award arbitrament and determination of Colonel George Mason as umpire between them as by the said obligations and conditions doth and may more fully and at large appear and whereas the said Hawson Hooe and John Hooe gentlemen have disagreed in their opinion and have certified the same under their hands the 3rd day of this present month of July,

Now Know Ye that I the said George Mason have taken upon myself the charge and burden of the said award...do by these presents arbitrate determine award and order that a certain branch or run running through the said lands from the back part thereof Into Bull Run general called the dividing branch the same lying and being between the said James Jennings' spring branch and a run called the Mill Branch is and shall be a boundary and division between the said lands now held by the said parties under the will of the before mentioned Peter Smith late of Westmoreland County, deceased, namely, the widow Elizabeth Landman, Peter Smith and William Smith claimers from the said James Smith one of the sons and Devisees of Peter Smith the testator and the said James Jennings as a claimer under the purchase from Thomas Smith one of the sons of the Devisees of Peter Smith the testator as aforesaid the said branch or run having been marked and agreed upon and settled as a division and boundary between the said lands by the mutual consent and agreement of the before mentioned James Smith and Thomas Smith, two of the sons of...the said Peter Smith before the said Thomas Smith sold his part thereof and I do further arbitrate determine. ..that the said Elizabeth Landman, Peter Smith and William Smith and heirs and assigns on their part shall not hereafter have use occupy or claim any of the said land lying and being above or on the upper side of the said dividing branch or run and that the said James Jennings his heirs and assigns on his part shall not hereafter have use of...any of the land lying and being below or on the lower side of the said dividing branch or run, but that the same shall be and remain perpetual division and boundary between the said parties and their heirs forever.

George Mason
July 15, 1767

Posted by manderskids at 10:45 PM g+1 Recommend this on Google

Labels: (Smith) Elizabeth, Hooe Hawson, Hoow John, Jennings Daniel, Jennings James, Mason George, Smith James, Smith Thomas

No comments:

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To all Christian People to whom this present writing of Award shall come, George Mason of Gunston Hall in the Parish of Truro & County of Fairfax sendeth greeting; whereas Peter Smith late of Westmoreland County died seized of certain Lands situate Lying & being upon Bull Run, now in the said Parish of Truro & County of Fairfax, which by his last Will & Testament he devised to several of his Children; and Whereas diverse Disputes & Controversies touching & concerning the Division & Boundaries of the sd Lands have been heretofore moved & depending between Elizabeth Landman, the widow, & Peter Smith & William Smith the sons and heirs of James Smith decd (who was one of the sons & Divisees of the above named Peter Smith the Testator) of the one part, and James Jennings son & Devisee of Daniel Jennings decd (who purchased from Thomas Smith another of the sons & Devisees of the said Peter Smith the Testator) of the other part: For the appeasing ending & finally Determining whereof the said Parties have submitted themselves & are become bound each to the other by their several obligations dated the 11th day of June 1767 in the sum of one hundred pounds with Condition thereunder Written for performance of the Award Arbitrament & Determination of Howson Hooe & John Hooe of the County of Prince William Gentm & in case they should disagree in their Opinion, then for the performance of the Award Arbitrament & Determination of Colo George Mason as Umpire between them; as by the sd obligations & Conditions doth & may more fully at large appear and Whereas the said Howson Hooe & John Hooe Gentm have disagreed in their Opinion & have certified the same under their hands on the 3d day of this present month of July ____ Now know ye that I the said George Mason having taken upon myself the charge & Burden of the sd Award & Arbitrament, & having fully & deliberately heard & Examined the Allegations & Evidence of both the sd parties concerning the Premises, Do by these presents arbitrate determine Award & order that a certain Branch or Run, running thro the sds Lands from the back part thereof into Bull Run generally called the dividing Branch (the same lying & being between the sd James Jennings's Spring Branch, & a Run called the Mill Branch) is & shall be a Boundary & Division between the Lands now held by the sd parties under the Will of the beforementioned Peter Smith late of Westmoreland County decd namely the sd Elizabeth Landman Peter Smith & William Smith as Claimers from the sd James Smith one of the sons & Divesees of the said Peter Smith the Testator, and the sd James Jennings as the Claimer under the purchase from Thomas Smith another of the sons & Divisees of the sd Peter Smith the Testator as aforesaid; the sd Branch or Run having been formerly marked, agreed upon & settled as a Division & Boundary between the sd Lands by the mutual consent & Agreement of the beforementioned James Smith & Thomas Smith two of the sons & Divisees of the sd Peter Smith the Testator before the sd Thomas Smith and his part thereof; And I do further arbitrate determine award & order that the sd Elizabeth Landman, Peter Smith & William Smith their Heirs or Assigns on their part shall not hereafter have, use occupy or claim any of the sd Land lying & being above or on the upper side of the sd Dividing Branch or Run, & that the sd James Jennings his Heirs or Assigns on his part shall not hereafter have, use, occupy or Claim any of the sd Land lying & being below or on the lower side of the said dividing Branch or Run, but that the same shall be & remain a perpetual Division and Boundary between the sd parties & their Heirs & Assigns forever. In Witness whereof I have hereunto set my hand & affixed my seal this 15th day of July in the year 1767.

G. Mason

At a Court continued & held for the County of Fairfax 22nd September 1767. This award made by George Mason Gent between Peter Smith & James Jennings is ordered to be recorded.

Teste

P Wagoner, Jun & Dept Cl

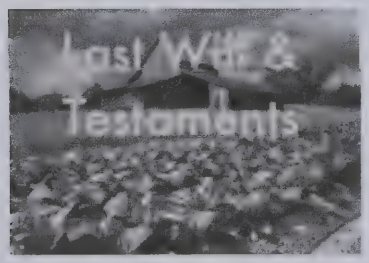
5 Dec

Last Will of Peter Smith of Westmoreland

(http://smithtree.info/home.php/petersmithwestmoreland/)

(http://smithtree.info/home.php/petersmithwestmoreland/)

| Comments Off on Last Will of Peter Smith of Westmoreland 1741



The Will of Peter Smith of Westmoreland 1741

In the name of God, Amen. The tenth day of January 1738, I **Peter Smith of the County of Westmoreland** in Virginia being in health and of perfect mind and memory thanks be given unto God therefor calling to mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my last will and Testament that is to say Principally and first of all I give and Recommend my soul into the hands of God that gave it and my body I Recommend to the Earth to be buried in decent Christian Buryal at the discretion of my Executors nothing doubting but at the General Resurrection I shall receive the same

again by the mighty Power of God and as touching such worldly Estate wherewith it hath pleased God to bless me in this life I give devise and dispose of the same in the following manner and form.

Imprimise. I give and bequeath to my Daughter **Mary Fleming** forty Eight acres of Land where she now lives according to the courses of a Survey that Barber made Beginning at a corner tree of Whetstons land to her and her heirs for Ever.

Item. I give to my son **Peter Smith** the Remaining Part of all the land that I possess in Westmoreland County to him and his heirs for Ever.

Item. I give to my son **James Smith** three hundred and twenty five acres of Land in Prince William County lying and being on Bull Run where he now Lives to him and his heirs for Ever.

Item. I give and bequeath to my son **Thomas Smith** three hundred and twenty five acres in the aforesaid County where he now lives to him and his heirs for Ever.

Item. I give to my son **William Smith** three hundred and twenty five acres in the aforesaid County to his liking out of the Remaining Part of the same tract of Land to him and his heirs for Ever.

Item. I give to my Daughter **Abigail Fleming** and my **Grand Daughter Anne Bailey** the Remaining part of that tract of Land in Prince William County aforesaid my daughter Abigail having the first choice, to them and their heirs for Ever. AND as for what moveable Estate it hath pleased God to bestow upon me I give and bequeath as Followeth.

Item. I give and bequeath to the heirs of my son **John Smith** one shilling Sterling money.

Item. I give to my son James Smith one shilling Sterling money.

Item. I give to my son Thomas Smith one shilling Sterling money.

Item. I give to my son William Smith one shilling Sterling money.

Item. I give to the heirs of my Daughter **Anne Thomas** one shilling Sterling money.

Item. I give to my daughter Mary Fleming one shilling Sterling money.

Item. I give to my Daughter **Hannah Ware** one shilling Sterling money.

Item. I give to my Daughter **Martha McClanahan** a feather bed at the discretion of my Executor hereafter named.

Item. I give to my Daughter Abigail Fleming one shilling Sterling money.

Item. And the rest of my moveable Estate not already bequeathed I give and bequeath to my son Peter Smith whom I likewise Constitute make and ordain my whole and sole Executor of this my last will and Testament. And I do hereby utterly Disallow Revoke and disannull any and every other former Testament Wills Legacies and Bequests and Executors by me in any way before named willed and bequeathed Ratifying and confirming this and no other to be my last will and Testament. In witness whereof I hereunto set my hand and seal the day and year above written.

Peter Smith (Seal)

Signed Sealed Published and Pronounced and declared by the said PeterSmith as his last will and Testament in the presence of us. Witnesses. **James Walker, Stephen Bailey, Jr., Hugh Thomas**.

Westmoreland SS At a Court held for the said County the 28th day of April 1741. This last will and Testament of Peter Smith deceased. Being presented into Court by Peter Smith his son and executor who made oath thereto and being proved by the oath of all the Witnesses thereto is admitted to Record and upon the motion of the said Executor and his performing what is usual in such cases Certificate is granted for him obtaining a Probate thereof in due form. Recorded the twelfth Day of May 1741.

Teste.

George Tuberville C. C.

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Overview
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Advisory Council
Patronage
Honorary Members
Annual Reception
Cincinnati
Gavel
Heraldry
Research
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Contact

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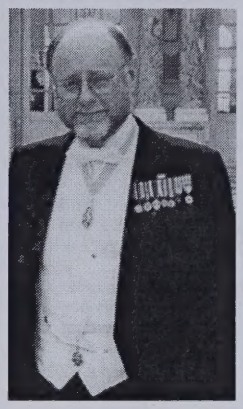
The Honorable Richard Bender Abell



The Hon. Richard Bender Abell (ne Richard Lon Welch) was born at Philadelphia, Pennsylvania, the son of Lon Edward Welch, Jr. and Charlotte Amelia Bender Welch Abell. He is married to Lucia del Carmen Lombana-Cadavid de Abell, daughter of Dr. Ezekiel Lombana-Duque and Maria de los Dolores Cadavid-Diaz of Medellin, Colombia. The Abells have three children: David Joseph Abell, Christian Aven Lombana Abell, and Rachel Mercedes Cadavid Abell.

Judge Abell was a Peace Corps volunteer in Colombia, South America, 1967-1969. He served with the United States Army Infantry, Company A, 2nd Battalion, 7th Cavalry, First Air Calvary Division in Vietnam, 1969-1971. Judge Abell was awarded the Purple Heart, Army Commendation Medal for Heroism, Air Medal, and Combat Infantryman Badge. Judge Abell retired from military service for wounds received in combat.

Judge Abell attended The George Washington University where he was graduated with a B.A. in International Affairs, 1966. He completed his Juris Doctor at The George Washington University School of Law, 1974. Judge Abell was appointed by President Ronald Reagan and confirmed by the United States Senate as the Assistant Attorney General for the Office of Justice Programs, United States Department of Justice, 1986-1990. He was also appointed by President Reagan to serve as a Member of the Board of Directors of the Federal Prison Industries, Inc. 1985-1991; as a Commissioner, President's Commission on Agricultural Workers 1988-1993; and as a member of the President's Task Force on Adoption 1987-1988. His wife, Lucia, served in two presidential appointments. Judge Abell served in the Federal Judiciary, United States Court of Federal Claims, Washington, D.C., until his retirement in November, 2010. He resides with his family in Alexandria, Virginia.

Memberships

* Society of the Cincinnati of Maryland (former Treasurer)
* General Society of Colonial Wars (former Governor of the District of Columbia Society)
* General Society Sons of the Revolution (former President of the District of Columbia Society)
* Aztec Club of 1847; Military Society of the Mexican War (former President)
* Order of Indian Wars of the United State (Senior Vice Commander)
* National Gavel Society
* Sons of Confederate Veterans (former Camp Commander, Alexandria, Virginia)
* Military Order of the Stars and Bars (former member of the National Executive Council)
* Colonial Order of the Acorn
* Colonial Society of Pennsylvania
* Order of Scions of Colonial Cavaliers 1640-1660 (former Marshall)
* Ancient Heraldic and Chivalric Order of Albion
* Saint Andrew's Society of Washington, D.C.
* Society of Saint George of Philadelphia
* Military Order of the Purple Heart
* General Society of the War of 1812 (former Color Guard of the Pennsylvania Society)
* Military Order of the Loyal Legion of the United States (former Judge

Advocate In Chief)
* Huguenot Society of America
* National Huguenot Society
* Welsh Society of Philadelphia
* Military Order of Foreign Wars of the United States
* Hereditary Order Descendants Loyalists & Patriots American Revolution (former Chancellor General)
* Order of the First Families of North Carolina
* Society of the Order of the Southern Cross
* Society of the Descendants of the Colonial Clergy
* National Society of the Sons of the American Revolution
* National Society of Sons of American Colonists
* National Society Sons and Daughters of Antebellum Planters 1607-1861 (former Vice President General)
* Sons and Daughters of the Colonial & Antebellum Bench & Bar 1565-1861
* National Society Sons and Daughters of the Pilgrims
* Flagon & Trencher: Descendants of Colonial Tavern Keepers
* Order of the Second World War
* Order of the First World War
* Military Order of the World Wars
* International Military Order of the Southern Cross
* Sons of Union Veterans of the Civil War (former Camp Commander)
* Royal Society of Saint George
* Descendants of Sheriffs and Constables of Colonial and Antebellum America
* Society of Boonesborough Descendants
* Continental Society Sons of Indian Wars
* First Families of Georgia
* Point Lookout Prisoner of War Organization
* First Families of Henry County, Georgia

Chivalric Orders
* The Most Venerable Order of the Hospital of Saint John of Jerusalem (Rank of Knight)

Authorship
Abell, Richard Bender and Wilmer Lane Smith, ***Peter Smith of Westmoreland County, Virginia (Died 1741) and Some Descendants***
Michigan: Bookcrafters, 1996, 394 pp.
Abell, Richard Bender and Fay Adamson Gecik, ***Sojourns of a Patriot, The Field and Prison Papers of an Unreconstructed Confederate***
Tennessee: Southern Heritage Press, Murfreesboro, Tennessee (1998), 255 pages.
Abell, Richard Bender, ***The Antecedents and Descendants of Gottlieb Heinrich Shmidheiser and Anna Rebman,*** privately published (2008). - most recent rendition.
Abell, Richard Bender, ***The Antecedents and Descendants of Johannes Martin Schwehm,*** privately published (2008). - most recent rendition.

Listed In
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The Blue Book of Washington, D.C.
The Hereditary Society Blue Book
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Marquis Who's Who In America
Marquis Who's Who in American Law
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Marquis Who's Who in Finance and Industry

Notes
Judge Abell is also a member of numerous veterans groups, masonic associations, and historical and genealogical societies, including The Society of Independent Southern Historians. He is Anglican-Catholic by faith.

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